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Letter to the Minister and the Métis People of Saskatchewan

Dear Métis People of Saskatchewan and Mr. Minister:

The Métis Electoral Consultation Panel is pleased to submit this report that you commissioned in response to requests made by the Métis people of Saskatchewan.

This report provides a detailed summary of the views expressed by Métis people through oral or written submissions during community consultations held in twenty-four (24) communities. The summary focuses largely on two key matters:

- *the need for another Métis Nation-Saskatchewan (MNS) election; and*
- *need for reforms to the MNS electoral, citizenship and governance systems.*

The report reveals that the Métis people who contacted your office during the past year to express concerns regarding the MNS elections—particularly the 2004 election—citizenship and governance systems were echoing sentiments widely shared within Métis communities in this province. More specifically, it reveals that the vast majority of those who participated in the community consultations share at least three important sets of views or beliefs. First, they believe:

- *that the 2004 MNS election had significant irregularities that invalidated most, if not all the results, and, therefore, another election coordinated by an independent and impartial third party should be held as soon as possible; and*
- *that the problems in the MNS electoral, citizenship and governance systems are serious and reforms to those systems should be considered and implemented as quickly as possible.*

Second, they believe that without compromising the rights or autonomy of the Métis people in this province, they want the provincial and federal governments, in partnership with the Métis people, to appoint a special commission consisting of qualified and reputable Métis and non-Métis persons to establish processes for:

- *conducting a democratic and fair Métis election; and,*
- *reviewing and reforming the Métis electoral, citizenship and governance systems.*

Third, they believe that the provincial and federal governments must provide the financial and human resources needed to conduct a democratic and fair election and initiate, produce and implement reforms to the electoral, citizenship and governance systems.

To the Métis people of Saskatchewan, we have, to the best of our ability and in the timeframe provided, brought your concerns and recommendations for change to Minister Sonntag and his colleagues. We remind you, as we did during our discussions, that the Panel and this report are the result of your demands for change. It is our hope that the issues and options identified in this report will be useful in your deliberations regarding the next MNS election and in reviewing and reforming the Métis electoral, citizenship and governance systems.

We thank you for your kindness, openness, and generosity during our visits into your communities and we commend you for the care, courage and commitment you exemplified for the future of the Métis people.

Yours truly,

The Métis Electoral Consultation Panel

Métis Electoral Consultation Panel Mandate, Members and Staff

Mandate:

Taking into account the recommendation of the Lampard Report, the mandate of the Métis Electoral Consultation Panel is to consult with the Métis people of Saskatchewan on their present electoral system, and canvass their ideas on democratic and electoral reform.

The comments and recommendations contained in this report are those of the Panel or the participants in the consultation process and are not to be taken as positions or opinions necessarily held by the Government of Saskatchewan.

Members and Staff:

Maria Campbell, Chair
Donna Heimbecker
Joe Daigneault
Ron Rivard
Joseph Garcea
Roger Maaka

Cheryl Troupe, Coordinator

105-06131/

Executive Summary

Métis people in Saskatchewan have expressed their opinions on the following two important matters:

- the problems and potential solutions related to the Métis Nation-Saskatchewan (MNS) election of 2004; and
- the problems and potential reforms to the MNS electoral, citizenship and governance systems.

Hundreds of Métis people participated in a consultation process coordinated by the Métis Electoral Consultation Panel. This included attending meetings in twenty-four communities, answering questionnaires, submitting written briefs, and speaking to Panel members. Those who participated indicated that they were echoing the views of their families, communities and Métis Locals. Several indicated that they had held special Local meetings earlier and were speaking on behalf of their membership. The Panel listened to those Métis people and has produced a report that echoes their views and recommendations.

Speaking about the 2004 election, Métis people pointed to alleged irregularities in the administration of the election and decisions made relating to some appeals. They also pointed to problems that many of them experienced while trying either to be placed on the voters list or to vote. Many expressed bewilderment, frustration, anguish and anger when told that they would not be able to vote even though they were members of recognized Métis families and, furthermore, other members of their immediate family were allowed to vote. They were even more frustrated when informed that their votes, along with those of many others in their Locals, were thrown out without a valid reason. Others indicated that they were appalled to hear that deceased family and community members were listed as eligible voters and had supposedly voted in the election.

Regarding the electoral, citizenship, and governance systems, they noted the following:

- deficiencies in the MNS Election Act and the MNS Election Regulations, and problems in the operation and decision making of the Métis Electoral Commission;
- difficulties that either they or someone they knew had experienced in applying for citizenship and obtaining citizenship cards; and,
- challenges that they or someone they knew encountered while operating or attempting to deal with various components of the governance system at the provincial, regional and/or local levels.

Métis people want reforms to solve problems related to elections, citizenship and governance systems. To that end, they indicated that they want three key initiatives to be undertaken as soon as possible.

- First, the establishment of an independent and impartial Métis Elections and Reforms Commission composed of highly knowledgeable, competent and respected Métis and non-Métis individuals.

- Second, to hold another MNS election as soon as possible for the positions of President, Vice-President, Treasurer, Secretary and area directors.
- Third, a substantial and systematic effort to reform the MNS electoral, citizenship and governance systems.

To ensure that such a commission is established, they indicated that the provincial and federal governments, in partnership with Métis people, must take a proactive role in coordinating the appointment of commissioners. They also indicated that the provincial and federal governments should provide the financial resources necessary to support and maintain the Métis Elections and Reforms Commission. Participants further stated that in planning the next MNS election and any reforms to the MNS electoral, citizenship and governance systems, the Métis people should be provided with both the information and opportunities required that would allow them to express their views on any proposed actions.

The consensus among participants in the consultation process was that the three initiatives listed above are essential for Métis citizens to both regain a sense of belonging to, trust in and ownership of the MNS as their governing organization, and maintain a sense of pride in their ability to govern themselves. Undertaking those three initiatives is absolutely essential for democratic, accountable and responsible Métis governance.

The vast majority of participants expressed concern that unless those three initiatives are undertaken there will be negative consequences for the MNS and Métis people. The adverse effects for the MNS is that its legitimacy among Métis people would decline to the point where some would refuse to support it and withdraw affiliation, and others would consider establishing alternative organizations to represent Métis people. These actions would impede the efforts of Métis people to advance their rights and access programs and services, both individually and on a collective basis.

Métis people spoke strongly and passionately about being citizens of the Métis nation and their support for Métis self-government. They expressed tremendous pride in the historical legacy of the Métis nation in this province. They spoke of the challenges that Métis people have faced and overcome in the past, and their confidence in their ability to meet and overcome current and future challenges of perpetuating their collective identity and advancing the rights of the Métis nation. They indicated that the Métis people in Saskatchewan value the following:

- Métis self-government;
- a strong political voice for the Métis people;
- democratic and fair electoral, citizenship and governance processes;
- a representative Métis governmental organization that is chosen democratically and fairly by a majority of voters;
- a system of governance where everyone is treated fairly; and
- a system of responsible government where the leadership is responsible to every member of the MNS.

They added that the Métis people in Saskatchewan want the following:

- to enhance the level of pride and attachment that they feel for their governing institutions and leaders at provincial, regional and local levels;
- to ensure that decision-making processes are transparent and fair, and that they can wholeheartedly rally behind leadership and collectively fight for the Métis nation;
- to be part of nation-building for the Métis today and in the future; and
- to see their children, grandchildren and great grandchildren take up the pursuit of Métis nation-building and self-governance.

Through this process, the Métis people have expressed the types of reforms that they want in their electoral, citizenship and governance systems so as to ensure that their rights and interests are advanced and safeguarded in the 21st century.

List of Key Recommendations

The following recommendations are listed in the order that they are presented in the report.

Recommendations Regarding the Next MNS Election

1. The next MNS election should be held as soon as an independent and impartial commission can be established to administer it in a democratic and fair manner using an updated voters list based on an updated citizenship registry.

2. The next MNS election should be held for the offices of President, Vice-President, Secretary, Treasurer and the twelve regional area directors.

3. The next MNS election should be planned, managed and monitored by an independent and impartial agency (i.e. the proposed Métis Elections and Reforms Commission).

4. The MNS should do the following for their next election:

- agree that such an election should be held as soon as possible; and
- provide access to all necessary documentation and other materials to those who are assigned to plan, manage and administer a democratic and fair election.

5. The provincial and federal governments should perform three key roles in relation to the next MNS election:

- facilitating the creation of a neutral Métis Elections and Reforms Commission composed of highly knowledgeable, competent and respected Métis and non-Métis individuals;
- providing financial resources for the Métis Elections and Reforms Commission to perform its core functions related to any future election(s); and
- monitoring the work of the Métis Elections and Reforms Commission to ensure that it performs its core functions effectively and efficiently in keeping with the preferences of the Métis people of Saskatchewan.

6. The major function of the proposed Métis Elections and Reforms Commission in relation to the next election would be to prepare a work plan with timelines and the human and financial resources needed to accomplish four major tasks:

- producing an updated and valid voters list;

- producing an updated and valid citizenship registry of Métis people;
- producing an updated and valid registry of Métis Locals; and
- conducting the next MNS election

Recommendations Regarding the Métis Electoral System

7. The MNS electoral system should be reformed as quickly as possible.

8. The *MNS Election Act* and *MNS Election Regulations* must be amended so as to embody the general principles and provisions of a reformed electoral system envisioned in either this report or any other electoral reform plan that emerges from the general recommendations of this report.

9. An independent and impartial election commission composed of highly knowledgeable, competent and respected Métis and non-Métis individuals should be appointed to reform the MNS electoral system.

10. Initially, such an independent and impartial election commission should be appointed by the federal and provincial governments in consultation with respected members of the Métis community. Eventually, however, such a commission should be reestablished in consultation with newly elected MNS officials who have been chosen in a democratic and fair election.

11. Such an independent and impartial election commission should have a lead role in performing the following two functions:
    - conducting any MNS election(s) in the near future; and
    - reforming the MNS electoral system.

12. In conducting any MNS election(s) in the near future, such an independent and impartial election commission should be responsible for ensuring that processes are in place for:
    - appointing a Chief Electoral Officer (CEO) to coordinate the administration of any MNS election(s);
    - contracting/appointing, training and certifying any election officials (e.g. senior administrators, deputy returning officers and poll clerks);
    - producing budgets and financial statements for elections;
    - producing a valid and updated voters list; and
    - dealing with appeals resulting from any MNS election(s).

13. A knowledgeable, reputable and impartial person should be appointed CEO. The CEO's principal function would be to administer any future Métis elections at the provincial, regional or local levels.

14. The CEO would be responsible for the following matters:

- contracting others to assist with the administration of elections;
- producing and maintaining a valid and up-to-date voters list;
- training and certifying a network of local electoral officials throughout Saskatchewan;
- preparing all election materials; and
- maintaining election records.

15. Initially, the CEO would be appointed by the proposed independent and impartial Métis Election and Reforms Commission on a fulltime basis for a term of three to five years to ensure that the person would have adequate time to administer all provincial, regional and local Métis elections. Eventually, however, the appointment of the CEO would be a matter of negotiation between the newly elected MNS officials and the proposed Métis Elections and Reforms Commission, either in its original or some reconfigured form.

16. To enhance the security of the electoral system against irregularities, abuse of discretionary powers and tampering, it is important to properly develop and implement reforms to the rules, management and administration of elections.

17. Appropriate regulations, enforcement mechanisms and consequences must be established to eliminate irregularities, abuse of discretion or tampering in elections.

18. The federal and provincial governments should provide sufficient financial resources for both reforming the MNS electoral system and conducting future Métis elections.

19. Appropriate financial reporting and accountability mechanisms should be in place to ensure that financial resources are used for the purposes for which they were intended and by the appropriate electoral officials.

20. The timeline for reforming the Métis electoral system should be as short as possible without compromising the ability to produce appropriate reforms.

21. Given the current impasse in the operation of the MNS political system due to the indeterminate results of the 2004 election, responsibility for initiating the process for reforming

the Métis electoral system rests primarily with the provincial and federal governments in consultation with Métis people.

22. Responsibility for producing proposals to reform the MNS electoral system should rest with an independent and impartial commission consisting of highly knowledgeable, competent and respected Métis and non-Métis individuals.

23. A special commission should be established to produce an electoral reform plan based on recommendations contained in the Poitras and Lampard Reports, as well as this report.

24. Any reforms to the MNS electoral system should be reviewed and approved by the Métis people. Mechanisms for seeking the approval of the Métis people for such proposals may include:

- a province-wide General Assembly open to all Métis people;
- a series of "regionally based" general assemblies;
- a constituent assembly of representatives from each MNS Local; and
- a plebiscite involving all Métis people.

Recommendations Regarding the Métis Citizenship System

25. A permanent and up-to-date citizenship registry must be developed and maintained.

26. An independent and impartial Métis Citizenship Registration Office should be established and a Citizenship Registration Officer appointed.

27. Consideration should be given to one of the following mechanisms for appointing a Métis Citizenship Registration Officer:

- the MNS in consultation with Métis people;
- some combination of representatives from the MNS, provincial and federal governments in consultation with Métis people; or
- a special panel appointed by provincial and federal ministers in consultation with Métis people.

28. Consideration should be given to the role of the MNS in appointing the Métis Citizenship Registration Officer after a democratic and fair election has been conducted.

29. Consideration should be given to the optimal location for a Métis Citizenship Registration Office, both in terms of the community (e.g. Saskatoon, Regina, Batoche) and building (e.g. office buildings of MNS, MNS affiliates, provincial or federal governments).

30. Special efforts must be made to ensure that the citizenship application process and the citizenship card granting system are well organized, efficient and tamper resistant.

31. The provincial and federal governments must ensure that the requisite resources are available to ensure that qualified persons are recruited to develop and maintain the citizenship registration system.

32. A citizenship registration appeal process must be established that is insulated from improper interference by any MNS political and administrative officials or any other MNS members.

33. An independent and impartial Citizenship Appeal Office consisting of highly knowledgeable, competent and respected individuals should be established to hear and decide appeals related to citizenship matters.

Recommendations Regarding the Métis Governance System

34. Special initiatives should be undertaken related to the MNS governance documents, including:

- reviewing the MNS governance documents that apply at the provincial, regional and local levels;
- examining whether all regional and local councils have the required governance documents; and
- increasing awareness regarding the existence of, and accessibility to the governance documents of all regional and local councils.

35. Special initiatives should be undertaken for dealing with structural problems within the MNS governance system at the provincial, regional and local levels.

- At the provincial level, one or more independent and impartial offices should be created to perform important managerial, administrative and judicial functions currently performed by the Senate. These include, but are not limited to, the following:
    - an independent Electoral Commission to oversee the administration of elections and hear appeals on electoral matters;
    - an independent Citizenship Commission to oversee the administration of the citizenship registry and hear pertinent appeals;

  - an independent ombudsperson to assist Métis people with problems that they encounter with any political, managerial or administrative component of the MNS governance system; and
  - an independent Mediation and Arbitration Commission to hold hearings and decide on various types of internal MNS disputes, including those emanating from regional and local MNS organizations.
- At the regional level, the geographic configuration of the regional councils should be reformed to ensure that there is fair representation based on the number of Métis people in each region and possibly even on the basis of the cultural and linguistic composition of some communities.
- At the local level, greater control is required to ensure that the creation and dissolution of Locals is conducted and monitored much more carefully, with an appropriate level of involvement by Métis people in local communities.

36. Several special offices should be established to relieve the Senate of its judicial and management functions. These include:

- an independent Electoral Commission to oversee the administration of elections and hear appeals on electoral matters;
- an independent Citizenship Commission to oversee the administration of the citizenship registry and hear pertinent appeals;
- an independent ombudsperson to assist Métis people with problems that they encounter with any political, managerial or administrative component of the MNS governance system; and
- an independent Mediation and Arbitration Commission to hold hearings and decide on various types of internal MNS disputes, including those emanating from regional and local MNS organizations.

37. The planning and operation of the General Assembly should be reformed as follows:

- a General Assembly should be held annually, either on a fixed date or on a date chosen well in advance and advertised widely;
- more information should be provided regarding the General Assembly's purposes;
- more opportunities should be provided for Métis people to ensure that issues of importance to them are on the agenda; and
- clear rules should be established and applied consistently in order to ensure that all members' issues and voices can be heard in a respectful environment.

38. The following four potential sets of reviews and reforms to the operation of MNS governance institutions should be considered.

- First, the operation of all MNS governance institutions at the provincial, regional and local levels, to ensure that they operate according to established rules and regulations in a democratic, accountable, ethical, impartial and fair manner.
- Second, the processes by which Métis people and elected officials are able to acquire knowledge regarding important matters, such as:
  - the functions, rules and regulations of MNS governance institutions;
  - the roles and responsibilities of various elected and appointed MNS officials; and
  - the rights of Métis people within the MNS governance system.
- Third, the information and communication systems of all MNS governance institutions, to ensure that there is an effective two-way flow of information and communication between and among MNS governance officials at the provincial, regional and local levels, as well as with the Métis people.
- Fourth, the financial and human resources that are available for MNS governance institutions, to ensure that they are operated according to the established rules and regulations in a democratic, accountable, ethical, impartial and fair manner.

39. To deal with the financial and human resource problems of the MNS governance institutions, there is a need for:

- increased funding from the federal and provincial governments for MNS governance institutions at the provincial, regional and local levels; and
- increased checks and balances within MNS governance institutions to ensure that financial resources are being used for the designated purposes and collective benefit of all Métis people.

Recommendations Regarding Provincial Legislation (*The Métis Act*)

40. Careful attention should be given to potential reforms of *The Métis Act*. These are needed to establish a detailed regulatory framework for the benefit of both the Métis Nation-Saskatchewan Secretariat Inc. and those who comprise its membership.

41. The Government of Saskatchewan should establish a process to review and reform *The Métis Act*.

42. In reviewing and reforming *The Métis Act*, the provincial government should consider, at a minimum, the following three potential initiatives:

- directing its legal advisors to review *The Métis Act* and relevant parts of *The Non-profit Corporations Act, 1995* to determine precisely how they apply to Métis elections and governance;

- producing either a discussion paper or draft bill, or both, for the purpose of amending *The Métis Act*; and
- asking a committee of the provincial legislature to request briefs and hold public hearings so that Métis people may express their views on any potential or proposed reforms to *The Métis Act*.

Recommendations for Processes to Move Forward

43. Moving forward with both the next MNS election and reforms to the electoral, citizenship and governance systems requires the establishment of five processes.

- The first process entails Métis people and the provincial and federal governments reviewing and responding to the report of the Métis Electoral Consultation Panel.
- The second process entails creating an independent and impartial Métis Elections and Reforms Commission consisting of three to seven highly knowledgeable, competent and respected Métis and non-Métis individuals who would perform at least two general roles during the first three years of its existence:
  - ensuring that the next MNS election is conducted in a fair and democratic manner; and,
  - ensuring that reviews and reforms related to the Métis electoral, citizenship and governance systems are initiated and implemented according to the wishes of the Métis people.
- The third process entails planning and administering the next MNS election.
- The fourth process entails reviewing and reforming the MNS electoral, citizenship and governance systems.
- The fifth process entails reviewing and reforming *The Métis Act*.

1. Introduction

1.1 Factors that Led to the Production of the Report

Three factors led to the production of this report. The first and most important factor was the demands of Métis people that the provincial government address problems in the Métis Nation-Saskatchewan's (MNS; also Métis Nation) electoral, citizenship and governance systems. The second factor was the decision of the provincial government to respond to those same demands. The third factor was a lack of commitment by the provincial government and the MNS in implementing reforms proposed in the Poitras Report, and the MNS' later lack of commitment to the proposed reforms of the Lampard Report. These three factors are explained below.

1.1.1 Concerns and Demands of Métis People

Métis people have been and remain very concerned with persistent problems in the Métis citizenship, electoral and governance systems. After each of the past three MNS elections, they have demanded that the provincial government, in collaboration with the federal government, take a proactive role in examining these problems. Such demands intensified with the extensive irregularities identified in the 2004 election.

1.1.2 Provincial Government Response to the Concerns and Demands of Métis People

During the past five years, the provincial government has undertaken three main initiatives to assist the Métis people of Saskatchewan in addressing those problems in the MNS electoral system. The first and most recent was the creation of the Métis Electoral Consultation Panel which has conducted community consultations and produced this report in 2005. The second was commissioning the Poitras report which was produced in 2001. The third was commissioning the Lampard report which was produced in 2004.

(a) The Poitras Report (2001)

The Poitras Report, written by Marilyn Poitras, was jointly commissioned by the MNS and the provincial and federal governments out of a shared concern regarding problems encountered in the previous three MNS elections (1995, 1998 and 2001). The terms of reference of the Poitras report were to review MNS electoral practices and make recommendations to improve the administration of elections. The report was based on extensive interviews and an analysis of the available documentation. The major recommendations of the Poitras Report are listed in Appendix 2.1 of this report.

There are three major sets of recommendations in the Poitras Report. The first set was directed at the leadership of the MNS, urging them to do improve the following:

- the citizenship system;
- the electoral system;
- the coordination with federal and provincial governments;
- the consultation and communication with Métis people; and
- establish an ombudsperson office.

The second set was directed at the MNS membership, advising them to:

- actively participate in discussions of MNS local, regional and provincial governance;
- vote in MNS elections;
- participate in producing and updating a central citizenship registry; and
- participate in the development of creative solutions to enumeration, public education and national Métis issues.

The third set was directed at the federal and provincial governments, recommending that they work with the MNS to:

- establish a process by which the MNS elections could be observed and determine consequences for election irregularities;
- provide financial resources to the MNS to produce a Central Métis Citizenship Registry;
- evaluate and assess financial support to the MNS for administration of programs and services;
- negotiate the role of the federal and provincial governments in the lives of Métis people; and
- develop a Métis Commission to act as a neutral body on Métis issues.

(b) The Lampard Report (2004)

The Lampard Report was commissioned by the provincial government in consultation with MNS representatives to perform three key tasks:

- to review appeals stemming from the 2004 MNS election;
- to assess the fairness of the election results; and
- to make recommendations on improving the electoral system for the future.

Keith Lampard's report identified several major problems with both the administration of the 2004 election and the counting of ballots. Given these problems, he concluded that the results of the 2004 election could not be regarded as fair. In recommending improvements to the MNS electoral system, a summary of which is provided in Appendix 2.2 of this report, Lampard emphasized the following:

- the adoption of appropriate rules and regulations;
- the application and enforcement of rules and regulations;
- the creation of a dispute resolution mechanism;
- the development of an alternative electoral process that includes an impartial citizenship and electoral officer, the use of mail-in ballots and changes in funding for elections;

- the employment of a means to prevent ballot box stuffing; and
- the improvement of the system for registering and disestablishing Locals and for assisting them in conducting elections.

1.1.3 Lack of Commitment to Implementing Proposed Electoral Reforms

The lack of commitment by the provincial government and the MNS in implementing the reforms recommended in the Poitras and Lampard Reports also contributed to the decision to produce this report by the Métis Electoral Consultation Panel. The majority of those who participated in the community consultations indicated that if the reforms advocated in Poitras and Lampard had been implemented, this particular report would not have been necessary.

1.2 Basis and Scope of the Report

This report is based on the opinions expressed by hundreds of Métis people who participated in the twenty-four (24) public consultations held between February and April 2005, during private consultations with people who requested meetings, through answers in written questionnaires, and through written submissions. For more detail on the nature of such participation and the views of participants please see Part One of the Appendices.

I think what needs to happen is from the general public out there, the Métis public need to challenge the minister. Like we're going to be telling him certain recommendations coming out from the hearings. But the general public out there needs to play a role where they force the government to take some action ... not just to leave the reports somewhere collecting dust.

The vast majority of those who participated in the consultation process indicated that scope of this report should be quite broad with a special focus both on the need for and nature of the next MNS election, and also on the problems and potential reforms to MNS electoral, citizenship and governance systems.

1.3 Purposes of the Report

This report has two purposes. The first is to provide a detailed overview and analysis of the opinions of the Métis people who participated in the community consultations. The second purpose is to provide materials that may be useful to both the Métis people in Saskatchewan and all levels of government in taking a proactive and constructive role both in planning and administering the next MNS election and in reforming the Métis electoral, citizenship and governance systems in Saskatchewan.

We have to change the whole political structure if we are going to make any significant changes that will count.

The Panel would like to make it clear that they view this report as a document designed to focus attention on the need for reforms, the general nature of the reforms that are needed, and the potential processes by which those reforms can be achieved. In short, it is intended as a document that will help to focus and frame a reform plan, rather than as ablueprint that must be implemented in its entirety without any modification.

I want to make it very clear ... there is 46,000 Métis in this problem and the problem we are having is with 10 people.

The solution to the first question, should the Métis electoral system be reformed? The solution in the long term would be a political structure that has checks and balances, a voice for opposition, with a free press with a means of generating revenue. The solution would require a code of ethics, standard of conduct and perhaps qualifications. In the short term, in order to get something moving, I believe that a structure should be implemented by the funding agent also known as the provincial government where there's the appointed political body that oversees all of the affiliates and represent of the Métis Nation of Saskatchewan. ... This process, process is far from perfect but will allow this to continue to operate and meet their mandates without political interference. This will allow an opportunity to structure a new organization that is truly representative of the Métis people.

The vast majority of Métis people who participated in the consultations indicated that they wanted a report that would propose and promote fundamental reforms to the Métis electoral, citizenship and governance systems. Moreover, many of them indicated that they believed that their views on this matter were representative of the views of the majority of Métis people in their respective families and communities. Furthermore, many stated that the only Métis persons who would disagree are a few self-interested individuals who have benefited and continue to benefit from the way that those systems have been configured and operated to date. The consensus among the vast majority of Métis people who participated in the community consultations is that the time for reforms has come. In their view, such reforms are essential to ensure that the Métis Nation has the electoral, citizenship and governance systems needed to advance the interests of its people and communities in the 21st century.

2. History of Métis Governance in Saskatchewan

2.1 Introduction

For over 200 years, the Métis have had a continuing presence in Saskatchewan. They have contributed to the creation of this province and left their mark on numerous historical events. Indeed, two of the province's oldest communities, Cumberland House, settled in 1774, and Île à la Crosse, settled in 1776, are Métis communities. The Métis were also the first to develop municipal governments in Saskatchewan. The purpose of this section is to provide an overview of the Métis people and the MNS governance and service delivery institutions today, as well as of Métis nationalism and governance during the past two hundred years.

2.2 Demographic Profile of Saskatchewan Métis

Today, the profile of the Métis in Saskatchewan is varied. Métis people are found in every occupation and are located in most of the province's communities. The 2001 Census data demonstrates what Métis organizations and communities have claimed for many years, that the Métis population in Canada has been severely under-represented in previous censuses. According to Statistics Canada, the Métis population in Canada increased by 43% between the 1996 and 2001 reporting periods. Métis people represent 30% (or 292,310) of Canada's total Aboriginal population, with Saskatchewan being home to one of the larger Métis populations in Western Canada. According to the 2001 data, there are 43,695 Métis people living in Saskatchewan, or 4.5% of the province's total population. Saskatchewan's Métis are also predominately urban, with nearly 70% residing in urban centres.

2.3 Structure of the Métis Nation-Saskatchewan Today

The contemporary Métis Nation -Saskatchewan (MNS), which has its origins in the 1930s-40s, was established to advance the rights and interests of the province's Métis. The MNS is organized into three levels of governance—the local, regional and provincial levels (Appendix 3.2).

At the local level, the MNS consists of approximately 130 organizations established in communities that have a substantial number of Métis people. Each Local has a set of elected officers who serve as the executive. Generally, there is only one Local per community, but some communities have more than one Local.

At the regional level, the MNS consists of twelve regional councils. Each regional council includes that region's area director and the Local presidents in that region.

At the provincial level, the MNS consists of several governance and service delivery organizations. The MNS governance organizations include the following:

- The MNS Executive, which consists of four elected officers (president, vice-president, treasurer and secretary).
- The MNS Provincial Métis Council, which, in addition to the four members of the Executive (i.e. president, vice-president, treasurer and secretary), also includes the twelve regional area directors and one representative each from the Métis Women Council and the Métis Youth Council.
- The Métis Nation-Saskatchewan Secretariat Inc., which consists of all members of the Provincial Métis Council and is the legally incorporated management arm of the MNS.
- The MNS Senate, which consists of twelve elders selected from each of the twelve Métis regions.
- The Métis Nation Legislative Assembly, which consists of all members of the Provincial Métis Council; four representatives of the Métis Women of Saskatchewan; four representatives from the Provincial Métis Youth Council; and all Local presidents.
- The Métis Nation General Assembly, which under the MNS constitution is an important discussion and decision-making forum for all Métis people and MNS officials dealing with governance, program and service issues.

The Métis Nation-Saskatchewan has established over the past several years a network of Métis controlled affiliates that serve the Métis people of Saskatchewan in education, health, addictions services, economic development, training and employment and housing services. These affiliates include:

- Métis Addictions Council of Saskatchewan Incorporated;
- The Gabriel Dumont Institute of Native Studies and Applied Research;
- Métis Family and Community Justice Services Incorporated;
- Clarence Campeau Development Fund;
- Saskatchewan Native Economic Development Corporation;
- Métis Employment and Training of Saskatchewan Incorporated;
- The Provincial Métis Housing Corporation; and
- Metis Sports, Culture, Recreation and Youth.

These affiliates serve both the rural and urban Métis population and represent the on-the-ground demonstration of Métis-specific program and service development and delivery. They form the foundation of the Métis Nation's evolving self-governing structures.

2.4 Early History of Metis Nationalism and Governance

The Métis have had a long history of political activism, with numerous Métis leaders, such as Cuthbert Grant, Louis Riel and Gabriel Dumont, having actively advocated for Métis rights. Aided by these individuals, a sense of Métis nationalism has developed since the early 1800s. Some of the most distinct markers of Métis identity and this growing nationalism have been expressed through the use of Métis flags and the wearing of distinctly Métis

items of clothing such as the sash or the beaded and embroidered garments made by Métis women.
The earliest notable events that demonstrated a Metis national consciousness include the Battle of Seven Oaks in 1816 and the Guillaume Sayer Trial of 1849, the latter of which was concerned with the political and economic rights of Métis peoples to free trade. Under the leadership of Cuthbert Grant in 1816, the Métis in what is now Manitoba rose in armed protest against economic sanctions placed on the sale of pemmican by the Hudson's Bay Company.The Métis victory at Seven Oaks was considered a monumental event as it helped develop a sense of nationalism among the Métis and was commemorated by Métis bard Pierre Falcon's "The Battle of Seven Oaks," which has since become a Métis national anthem.

The growing demand for buffalo meat and hides encouraged the development of large, well organized buffalo hunts. Prior to this, the Métis buffalo hunts had been smaller and conducted by a single family or small group of families. By 1860, however, there was said to have been over 2,500 Métis participating in these hunts. Normally held twice a year, the buffalo hunts were organized in a democratic and military manner, and served as a quasi-provisional government. This government existed as long as there was need and was dissolved once the hunt was complete. After gathering at an agreed upon rendezvous site, a council would be formed and a chief of the hunt selected. Captains, soldiers and guides would be subsequently selected. Guides were charged on a rotating basis with overseeing the operations of the camp while it was on the move. The flag was used to signal when the camp would move, and when taken down served as a symbol of encampment. When not moving, captains and soldiers were in charge of the camp. Laws of the hunt were strictly enforced due to the need to operate as a cohesive and well-disciplined group at all times.

In 1869-70, the Métis in Red River further asserted their political and land rights. Hearing of the transfer of Rupert's Land from the HBC to the Canadian government, the Métis became apprehensive about whether the federal government would recognize their ownership of the land. They had not been consulted about the transfer, nor had they received notice of the sale. Many Métis also feared that a union with English-speaking Protestant Canada would threaten their language, religion and culture. In response, Louis Riel proposed that a provisional government be established as a means of negotiating with the Canadian government. The majority of Red River Métis rallied around Riel and supported the provisional government, and a bill of rights was drafted and presented to the Canadian government. In December 1869, a second provisional government was established, and it proposed a second bill of rights, many of which were included in the Manitoba Act of 1870 through which the province of Manitoba entered Confederation.

After 1870, increasing numbers of Métis left Manitoba after being dispossessed of land following the province's creation. Many settled on the South Saskatchewan River at St. Laurent. This new settlement allowed the Métis to govern themselves, make their own laws and regulations and live independently. In the past, custom required that the captain of the hunt, with the assistance of his soldiers, maintain order and the respect of established laws. In 1873, the St. Laurent Council was formed with Gabriel Dumont as president. The Council adopted a constitution of twenty-eight laws and served as the administrative, military and judicial body of this new Métis settlement. Among the ordinances were Sunday observance, respect for private property, inviolability of contracts between employer and employee, and prevention and control of prairie fires. Either confinement or a fine were punishment for violation of these laws.

As early as 1873, the Métis who settled in Saskatchewan began to fear encroachment from settlers and petitioned the government in Ottawa to settle Métis land claims. They also made requests for Riel's pardon; the protection of fishing, hunting, trading and trapping rights; the protection of religious freedoms; surveys to be conducted using the river lot system; and surveys of townships. In 1884, Riel returned to the Northwest and began, once again, to negotiate with the Canadian government for the fulfillment of these requests. When confronted with displacement from their homes and property, the Métis formed another provisional government and made preparations for an armed resistance, during which they fought for their land, property and human rights.

Following the 1885 Resistance, the Métis were increasingly marginalized and many were forced to disperse to parkland and forested regions in what would eventually become Saskatchewan. By the time the province was created in 1905, Métis communities were being engulfed and/or displaced by an agrarian settler society incompatible with the Métis lifestyle. Some Métis attempted to escape their plight by migrating to the remote northern part of the province where subsistence activities were still possible. Others moved to centres such as Prince Albert and became an urbanized population. Unfortunately for many, especially those in the southern part of the province, the only option was to eke out a living in peripheral rural areas, where they were often forced to squat illegally on provincial road allowances or near Indian reserves. Called road allowance people, Métis families settled in dozens of makeshift communities across southern and central Saskatchewan in locations such as Debden, Crescent Lake, Katepwa, Crooked Lake, Rocanville and Lestock. Most road allowance Métis did not own title to their land nor did they pay land taxes, meaning that their children were often precluded from attending provincial schools. From this marginal existence a myriad of social and economic problems emerged, including extreme poverty, poor health, low self-esteem and a lack of viable employment opportunities. Despite such hardships, these families maintained their culture and sense of community.

2.5 The Recent History of Metis Nationalism and Governance

By the early 1930s, the Métis in southern Saskatchewan began to organize around the issue of Métis land rights and scrip. In 1931-32, the Half-breeds of Saskatchewan was formed by Métis in Regina to represent their interests. In 1937, that organization became the Saskatchewan Métis Society (SMS), representing Métis in southern and central Saskatchewan and lobbying the government as a collective Métis voice. Leaders such as Joe Ross, Joe Mckenzie, J.Z. LaRocque, Thomas Major and Fred DeLaronde organized Saskatchewan's Métis through "Locals," a representative structure borrowed from organized labour. By 1939, there were over twenty Locals in rural and urban centres, including Estevan, Yorkton, North Battleford, Saskatoon, Prince Albert, Baljennie, Swift Current, Maple Creek, Regina, Lebret, Fort Qu'Appelle, Torquay, Indian Head, Lestock and Rocanville. Clearly, there was a growing sense of political awareness and social activism.

The objectives of the Saskatchewan Métis Society were to:

1) organize the Métis of Saskatchewan so that they may strive to better their social, cultural and economic life;
2) assist, as far as possible, in recording and perpetuating a correct history of the Métis in Saskatchewan; and,
3) set up branches of the society within Saskatchewan and to affiliate with, or accept affiliation with organizations having similar objectives.

Throughout the 1930s, the SMS worked to address issues of poverty, lack of education, lack of employment, displacement and land and hunting issues. Unfortunately, the SMS lacked political leadership as both their leaders and members had little education or political expertise in negotiating with the provincial government.

With the outbreak of the Second World War, many Métis enlisted, greatly impacting on-going Métis political action. After the war, the Métis re-entered the province's mainstream and, because of their overseas experience and service training, Métis servicemen were considered relatively well-educated and in a position to become articulate spokespersons for their communities. Increasing urbanization, education and political awareness after the war also sparked a political reawakening in many Métis communities. The pre-war SMS had primarily represented Métis in southern and central Saskatchewan. In 1947, however, Métis leader Malcolm Norris helped revive Métis Locals in the province's north. By the early 1950s, he was joined by Métis leader James Brady to address economic, social and political marginalization in the north.

By the 1960s, Métis political organizations existed throughout the province. Their leaders advocated for Métis empowerment and lobbied government for better education, employment and living conditions, as well as fishing and trapping rights. The Métis Society of Saskatchewan (MSS), led by Joe Amyotte, represented Métis living in southern and central Saskatchewan, while the Métis Association of Saskatchewan (MAS), led by Norris and supported by Brady, represented northern Métis and non-status Indians. In 1967, the two organizations merged, keeping the Métis Society of Saskatchewan name. Although neither organization was specifically dedicated to urban Métis, the amalgamated MSS acknowledged and represented the growing urban Métis population.

During the late 1960s, Métis leaders such as Howard Adams became involved in politicizing Métis issues. A scholar who studied at the University of California at Berkeley, Adams was influenced by the Black Power, Red Power and American Indian movements. These ideologies also influenced other Métis people and the political leadership of the time.

The 1970s and 1980s were key decades in the political development of the province's Métis. For most of this period, Jim Sinclair led the province's Métis political movement. There was a great deal of solidarity between the Métis and the non-status Indians at the time, which led to a restructuring of the MSS in 1975 and the formation of the Association of Métis and Non-Status Indians of Saskatchewan (AMNSIS). AMNSIS provided a political voice for Métis people and for non-status Indians who had lost their treaty rights when they lost their status. The initial objectives of the new organization were to:

1) work for the social, educational, economic betterment and general improvement of Métis and non-status Indians;
2) preserve and further Métis and non-status Indian heritage and culture;
3) unite and preserve the unity of Métis and non-status Indians; and
4) these co-operate with other organizations inside or outside Saskatchewan to further objectives and purposes.

There was a strong recognition of AMNSIS in the 1980s as the political voice of and for Métis people. In the early 1990s, AMNSIS changed its name to the Métis Nation of Saskatchewan (MNS) as a strategy to promote the concept of nationhood and nation-building. MNS leaders have tabled such issues as Métis self-government, land rights, Métis Aboriginal rights to hunt and fish and the inherent right to self-government and self-determination. Current MNS objectives are to strive for the political, legal and constitutional recognition of the Métis. Creating a land base, achieving self-government and preserving cultural heritage are other important MNS goals.

Saskatchewan Métis have also been influential in the development of national Aboriginal organizations. In 1970, the Métis of Alberta, Saskatchewan and Manitoba established a national organization, the Native Council of Canada (NCC), to represent Métis and non-Status Indians. In 1983, the Métis organizations from Western Canada broke away from the NCC and formed their own organization, the Métis National Council (MNC). The MNC was formed so that Métis people could be properly represented at the initial First Ministers Conference on Aboriginal Constitutional Affairs in March 1983. One of the MNC's main goals is to ensure full Métis participation in the process of guaranteeing Métis rights to self-government and self-determination.

2.6 Conclusion

The potential of the Métis nation still lies in the Métis people themselves. Historically, the Métis people have been very commitment to, and proud of their nation and their governance institutions. They want to continue to be committed to, and proud of, them in the future.

History has shown that the two most important factors for the success of a nation are: a collective commitment to nation-building and the rights and well-being of the people; and a widely shared set of values by which they will govern themselves. During the consultation process, the Métis people of Saskatchewan have indicated that they continue to be committed to nation-building. They have also indicated that they have identified and agreed upon a set of core values by which they wish to govern themselves. This includes: democratic, fair, accountable and responsible government; honesty, integrity and transparency; self-reliance and self-sufficiency; and individual and collective rights and freedoms. These are some of the values at the heart of Métis culture and the values with which Métis people want to shape the operation of their institutions in the future.

There is strong desire in Métis communities for Métis governance organizations to embrace those values in working for the benefit of all Métis people. The prevailing view is that the best traditions and practices of Métis governance organizations must be perpetuated in the future.

3. Nature, Causes and Effects of Problems in the Métis Nation

3.1 Introduction

The objective in this section is to provide a very brief overview of the nature, causes and effects of the governance problems experienced by the Métis Nation-Saskatchewan in recent years.

Why is the Métis election any different than a provincial election? There should just be a set of regulations and standards that everyone should follow.

3.2 Nature of Governance Problems in the Métis Nation-Saskatchewan

The community consultations revealed that there are three sets of governance problems in the Métis Nation-Saskatchewan.

3.2.1 MNS Electoral System

The first set of problems identified by participants in the community consultations is related to the MNS electoral system, and includes the following:

- developing and maintaining an accurate and updated voters list; and
- administering Métis elections at the provincial and local levels.

I think that the biggest thing is the voter's list. If we had a proper voter's list we would eliminate a lot of the problems. It would be a lot of harder to cheat having dead people voting or non-existent people voting if we had a voter's list. It's an embarrassment to the Métis people when you hear stories about all the stuff going on. It's an embarrassment.

Many participants noted that they were surprised and frustrated to discover that they were not on the voters lists. Similarly, returning officers, poll clerks, scrutineers, candidates and voters alike stated that they were appalled to learn that deceased people were on the list, but living Métis persons were not.

My first thing is that I would like to see a ceremony for the deceased people that were disrespected for the elections.

In the case of the administration of the Métis elections at the provincial and local levels, participants in the community consultations (including many of those who were involved in administering the elections), noted a great number of minor and major problems that they believed contributed to a highly flawed election and, accordingly, questionable results. Others who felt that problems at their own polls were relatively minor or non-existent were astounded, disappointed and even angered when they heard about the problems that occurred at other polls. These feelings were further magnified by the way that decisions were made during both the initial and final counting of ballots, as well as during the election appeal process.

3.2.2 MNS Citizenship System

The second set of identified problems is related to the following elements of the MNS citizenship system:

- developing and maintaining an updated citizenship registry;
- registering as a Métis citizen;
- obtaining a valid and permanent citizenship card; and
- appealing decisions regarding citizenship and citizenship cards.

If we can't identify our members how can we let them vote? So we need proper enumeration, the whole membership ... We need to be able to identify who our members are.

I am the president of the local and I don't even have a card.

I have had two life time membership cards.

3.2.3 MNS Governance System and Sub-Systems

The third set of problems identified by participants is related to the MNS governance system and sub-systems at the provincial, regional and local levels. The major sets of problems at each of these three levels of the MNS governance are discussed below.

I think that the election is just a symptom of the sickness that we have as our system, as a whole, right from the Locals right up.

Our current system only serves the status quo and doesn't work for the Métis people as a whole.

(a) Governance System at the Provincial Level

The community consultations revealed that there is a strong belief among Métis people throughout the province that the MNS governance system at the provincial level is plagued with many problems. The major problems are as follows:

- the system does not operate according to such principles as fairness, transparency, accountability and responsibility to the Métis people;
- decision-making power is excessively, and in some cases improperly, concentrated in the hands of a few political and administrative officials; and
- the system is controlled by a select few individuals who are more intent on advancing their own narrow interests than those of the Métis people.

(b) Governance System at the Regional Level

Métis people who participated in the public community consultations indicated that governance problems also exist at the regional level. More specifically, they indicated that some regional councils do not operate according to the principles of fairness, transparency, accountability and responsibility to the Métis people. Concerns were expressed that some regional councils are dominated by a few members of the MNS executive, area directors, and Local presidents. Many participants in the community consultations indicated that regional council meetings occur infrequently are poorly advertised, and minutes of their proceedings or decisions are either not produced or those that are produced are not easily or equally accessible to some Métis officials or people.

Some elected leaders who participated in the community consultations indicated that although there was no denying that such problems existed, they were not prevalent in either frequency or scope in all regions. For example, some participants stated that some of these regional councils are providing effective programs and services and are practicing fairness, transparency, accountability and responsibility to Métis people in their region. Nevertheless, there was a general recognition that even in regions where problems in the governance system were less prevalent, some minor problems existed and improvements were still needed.

Within this region, we ran a good election, it doesn't happen right across the province and it should, but it doesn't.

I was appointed local president, then somebody else came along and I was pushed out.

We need to go back to electing our local presidents, they shouldn't be appointed.

We don't even know who our local president is here ... that's what we need to do is establish our local meetings. From what I understand presidents are supposed to be elected by their membership.

(c) Governance System at the Local Level

Those who participated in the community consultations indicated that the MNS governance system also faces major problems at the Local level. The problems at some Locals are very similar to those at both the provincial and regional levels. Local governance problems identified by participants include inadequate:

- information regarding meetings to elect local officials or to make local decisions;
- number of meetings to explain what is happening at the local, regional or provincial levels within the Métis governance system;
- attention to the maintenance of official records and documents;
- access by members to official records and documents of Locals;
- fairness and equity in the treatment of all members;
- amount of local policy and program initiatives designed to benefit the local Métis community (e.g. initiatives that would contribute to a stronger sense of community, advance understanding of Métis governance, and foster economic and social development); and
- safeguards to ensure that Local presidents are elected by Local members.

Here, too, it must be underscored that some of those who participated in the consultation process indicated that such problems were not equally prevalent in all Locals. Nevertheless, there was a general recognition that even in Locals where problems in the governance system were less prevalent, some minor problems existed and some minor reforms were needed for the benefit of their members and communities.

But I think we have to have a plan in place to say how we plan to carry these things out so that you know, we're truly accountable for it and then maybe the purse strings will be opened up again. But it's still the grassroots people that suffer without the money, yes, maybe the MNS in Saskatoon, I mean they're getting by, that's about it. But it's, it's the people, the grass roots people that are suffering because of it. The dollars that normally filter through to the affiliates and stuff are flowing. It's got such a hold on everything: education, programming, a variety of things. I think we have to have a convincing plan of how we're going to carry this out with this for the government.

With every Nation there is a Constitution or at least in every democratic Nation there is what they call a Constitution what the Constitution is supposed to do is to be used as a guideline for any Nation. It enables the people to make and create laws and as well pass legislation. It's supposed to protect its citizens, to provide as well a democratic process in all aspects of government. The Métis Nation, we like to describe ourselves as a democratic process, but something went wrong.

3.3 Causes of Electoral, Citizenship and Governance Problems in the Métis Nation

Participants in the community consultations identified at least seven major factors as the root causes of the problems in the MNS electoral, citizenship and governance systems that have plagued the Métis Nation in recent years.

3.3.1 MNS Governance Documents

The first major factor identified by those who participated in the community consultations is the inadequacy of the MNS core governance documents. This includes the Métis Constitution, the MNS Election Act, the MNS Election Regulations, the MNS Citizenship Act, the Métis Nation Legislative Assembly Act and the Métis Senate Act. Unfortunately, many of the participants by their own admission were unfamiliar with the details of these documents. Those who were familiar with these documents noted that important principles and provisions related to the citizenship, elections and governance systems were absent. The result is what they described as the lack of clarity regarding who should perform certain functions related to citizenship, elections and governance, and how they should be performed.

3.3.2 Operation of MNS Governance Institutions

The second major factor identified by those who participated in the community consultations are problems in the operation of the MNS governance institutions. Participants noted that, generally, the major MNS governance institutions at the provincial, regional and local levels were not always operating according to the principles of fairness, transparency, accountability and responsibility to the Métis people. This includes the MNS Executive, the MNS Provincial Métis Council, the MNS Senate, the MNS Legislative Assembly, and the MNS General Assembly. Apart from inadequacies in the operation of the existing MNS institutions, many participants indicated that new institutions or agencies are needed to ensure that issues are dealt with more effectively. The types of institutions and agencies identified most frequently were appeal mechanisms for issues emerging from the MNS elections, citizenship and governance systems.

It's a necessity to pay our political leaders competitively, you know, competitive salaries and wages; because you know the old saying you get what you pay for, right? But it has to be in relation to not who they are, but what they bring, qualifications, education, all those things, whatever it is.

The Métis are the only ones getting really hurt by this ... If the provincial government wants to help in fixing it can restore Métis funding adequately and fund the next election.

3.3.3 Financial Resources for MNS Governance System

The third major factor identified by participants is an inadequate amount of financial resources available for the operation of the MNS electoral, citizenship and governance systems. Many of them indicated that inadequate financial resources have been a major obstacle to hiring and retaining enough competent professional managers and administrators to perform key management and administrative tasks. They indicated that attracting and retaining enough competent officials is difficult for the MNS because it cannot compensate them at the same level as officials from other orders of government.

The consensus among participants was that additional financial resources would be required as part of the efforts to eliminate, or at least minimize, existing problems in the MNS governance system to attract and retain qualified individuals to serve as political and administrative officials.

You do get what you pay for.

It must be noted that not all who participated in the consultation process believed that inadequate financial resources was the most significant cause of the governance problems. Some participants suggested that the amount of financial resources devoted to Métis governance, management and administration has actually contributed to the governance problems within the Métis Nation. A shared view was that the availability of financial resources has distorted the priorities and judgment of some, though by no means all, MNS officials at the provincial, regional and local levels.

3.3.4 Knowledge of the MNS Governance Systems

The fourth major factor identified by the participants is an inadequate level of knowledge and understanding of the following three key matters among some Métis citizens:

- when the existing rules, regulations and processes are being followed and when they are not;
- their rights within the governance system as *bona fide* members of the Métis Nation; and
- their recourse if their rights are either not respected or denied in relation to citizenship, elections, entitlement to services or any administrative procedures that affect them.

There should be no favoritism there should be no family involved if you're running election. That should be you know above board like you say transparent but it's never transparent with us. I don't know it just it, unbelievable, unbelievable what they did this election.

Many participants readily admitted that they were not very knowledgeable of the key MNS governance documents or the structures, functions and operating procedures of the various MNS governance institutions. Some participants noted that an inadequate level of knowledge on such matters has also existed among some MNS political and administrative officials. The general consensus from those who participated was that knowledge is empowering and they would like every Métis citizen to have adequate knowledge regarding their electoral, citizenship and governance systems.

3.3.5 Personal and Professional Integrity of Some MNS Officials

The fifth major factor identified by participants as contributing to the governance problems is the inadequate amount of personal and professional integrity shown by some, though by no means all, MNS officials at the provincial, regional and local levels. Many indicated that they were disenchanted, dismayed and disappointed with this lack of integrity, and that this is the most significant factor that has contributed to governance problems within the Métis Nation. Many of those who attended the community consultations indicated that those who do not conduct themselves with the required degree of personal and professional integrity within the governance system should be held accountable both politically and legally.

3.3.6 Administrative and Legal Controls Against Abuses of Power

The sixth major factor identified by participants as contributing to problems in the electoral, citizenship and governance systems is inadequate administrative and legal controls against abuse of power by some, though by no means all, MNS officials at the provincial, regional and local levels. Many were bewildered that there were not more and stronger controls to ensure that officials use governance power appropriately, and that those who do not would be subjected to the appropriate scrutiny and consequences.

3.3.7 Provincial Governance Documents

The seventh major factor identified by participants as contributing to the governance problems is the inadequacy of provincial legislation to regulate Métis governance. More specifically, some participants indicated that *The Métis Act* is inadequate and does not include the necessary checks and balances. In their view, it should contain more principles and provisions regarding:

- the nature of the partnership between the provincial and MNS governments;
- the practice of democratic, accountable and responsible governance within the Métis Nation; and
- the terms and conditions that apply to any financial transfers from the provincial government to the Métis Nation-Saskatchewan Secretariat Inc. or any other entity that may supersede it in the future.

These people do not represent me or speak for me because they have dishonored me in the things that they have done and they should be duly dealt with in the legal process. I would like to remind everybody, like my grandfather said, "Don't forget who you are no matter where you go and you know, who you are."

Our people have done us wrong and we can't trust them to do us right and until everything is in place so they can not do us wrong then we have to have someone else help us out. Let's clean up our backyard. Lets' clean up our own stuff. We need to have honor, we need to have integrity, we need to have accountability, we need to be transparent, each and every one of us and we need to treat each other with respect.

Its really a terrible time for Métis people, we are without a pope right now, and we are without a president.

We have conflict of interest guidelines now, but they are not being followed.

I think that a lot of people are under the assumption that there was something in the Election Act if some one gets caught, then there is consequences.

I think that what we need and what we want is our province and federal government to take an active interest in our democratic structures so they can build our capacity so that we can actually work in concert in addressing some of the fundamental issues that we keep talking about.

I would like to recommend that we are building a nation right that's what we keep saying but here we are offering the government to oversee us I don't agree with that and I would like to say there are definitely people that are educated in our community and those are the people that we should be seeking building and supporting not tearing down like we do in a lot of cases. Those are the people I would like to see on the panel we have people it shows here today that we do have people that are coming forward to support the Métis nation and Métis people.

3.4 Effects of Electoral, Citizenship and Governance Problems

Those who participated in the consultations indicated that the problems in the MNS electoral, citizenship and governance systems have had several adverse effects.

We need to get the respect and pride back in our community.

I view the Métis political structure as an embarrassment. There are thousands of Métis people who work with the larger society. Every day they are looked at differently and connected to a flawed organization that says they represent them, but doesn't. These individuals have not been represented fairly and deserve better. They deserve better from their own organization and certainly better from the Provincial and Federal governments ... Many levels of shame exist. Unfortunately, it is the thousands of Métis people who live and work in this province that it reflects upon.

3.4.1 Pride of Métis People

The first adverse effect is on the pride of the Métis people. Many participants who discussed this effect noted that they, along with many others in their communities, were ashamed and disenchanted that such problems existed and persisted. Indeed, some indicated that at times they found it difficult to acknowledge and celebrate their Métis citizenship and heritage because of the problems in the MNS electoral, citizenship and governance systems.

There's so much apathy out there right now, people just don't want to be involved anymore.

3.4.2 Participation of Métis People

The second adverse effect is on the level of participation of Métis people in political, administrative and cultural activities. Many who participated noted that they and many others in their communities had become increasingly reluctant to stand as candidates in elections, vote in elections, participate in political meetings, or serve as administrators within the MNS governance system at the provincial, regional or local levels. They also noted that the problems have had an adverse effect on their participation in Métis cultural activities across the province.

I think it's so important that we regain some credibility and dignity because that's what the Métis people have, is dignity and we need to regain some of that dignity in the public eye.

3.4.3 Legitimacy of Métis Governance

The third adverse effect is on the legitimacy of Métis governance both inside and outside the Métis community. Many participants indicated that a majority of Métis people have lost confidence in MNS governance institutions and in some, though by no means all, of the individuals who occupy important leadership positions. They indicated that Métis people have simply lost confidence in the MNS governance institutions because they do not always operate in a democratic, transparent and ethical manner that advances the interests of their families and communities.

I would just like to say that I don't like to paint the whole Métis Nation with the same brush because there is a lot of good people that don't come to the surface and it's a little harder to get them up to talk and I wouldn't be here if it wasn't for my ancestors so I am just trying to do my part for what they have given to me.

Many also indicated that Métis people are quite concerned that the legitimacy of the MNS has been compromised in relation to both the various orders of government and the general public. They are concerned that such problems discourage governmental and non-governmental organizations as well as the general public from working with, supporting and nurturing productive relations with MNS governance institutions and affiliates.

3.4.4 Capacity of Métis Governance

The fourth adverse effect is on the capacity of Métis governance. Those who participated in the consultations indicated that the governance problems have had an adverse effect on the availability of human and financial resources required to perform some of the critical governance and administrative functions. Participants noted that many highly qualified and ethical members of the Métis community in this province are unwilling to become actively involved either as political and administrative officials or as community contributors in the development and implementation of major policy and program initiatives. They added that the reason for this is that such individuals believe that they will either be besieged by organizational problems created by others, or be undermined by self-interested individuals who prefer the status quo to any potentially positive reforms. Participants indicated that the governance and management capacity of the Métis Nation would be enhanced substantially if skilled and dedicated individuals were actively involved at the provincial, regional and local levels.

Métis governance capacity is also adversely affected by insufficient financial resources. Other orders of government would probably contribute more resources if they had a greater degree of confidence that such financial resources were being used efficiently and effectively to the benefit of Métis people.

I think we, we better start looking at uh, strong leaders, that is what we need is really a strong leaders to run our organization. What's wrong with our people there is so much jealousy in our organization?

There wasn't money to ensure that um people on the list were in fact bona fide members of the Métis nation. All of those things take resources and the Métis Nation of Saskatchewan is grossly under funded.

I would like to be involved, and I don't want to be intimidated.

3.4.5 Economic Development for Métis Communities

The fifth adverse effect is on the level of economic development that would benefit Métis families and communities. There is a widespread belief that various problems identified above have compromised the ability of all orders of government and the private sector to participate and contribute fully to economic development initiatives favoured and needed by Métis communities.

All the programs end in the south, they never get to the north.

I used to sit on the local board but we couldn't get anything going because nobody would listen to anything about money because our community is not on the "map."

3.4.6 Social Development for Métis Communities

The sixth adverse effect is on the level of social development in Métis communities. There is a widespread belief that various problems identified above compromise the ability of all orders of government and the private sector to participate and contribute fully to social development initiatives that will benefit Métis families and communities.

Around the 1970s Métis people started coming here and promised many things that would improve our Métis life. The Métis people are struggling, they come to town and the Métis people are struggling ... and we are living like we should not be living ... Louis Riel fought for us to live a good life, not this way.

3.4.7 Vitality of Métis Communities and Métis Nation in the Future

The seventh adverse effect is on the vitality of Métis communities and the Métis Nation itself. Many suggested that the vitality of their communities and the nation have already been compromised by two factors. The first is a lack of attention given to the economic, social and cultural needs of Métis communities, and the second is the stigma that has been attached to Métis people as a result of the highly publicized, recurring problems within the MNS.

We need to be showing our strength as a people.

I would like it to be changed is for my son, my 10 year old and every other grandchildren that are out there and kids that are out there. If we don't have a collective vision and future for our kids, this is all for naught. Doesn't matter how much money we spend. We've uh haven't had a vision in a long time, collectively with all our Métis people in the province of Saskatchewan. And it's time we do. And, and, and I have to say that if we don't, we're going nowhere. I'm not too sure about the second question, but 'what reforms do the election system need?' I'm not sure, maybe we need an independent panel of Métis citizens, but in order to do that, we have to have trained people. Not once has the province or the federal government given us money to train any of our people. Regardless if it's the Senate, individuals, last politicians, but we haven't had any training, and we have no elect, electoral reform. Who should be for-involved? All Métis people across Saskatchewan. Without individual voices, we don't have a nation. We built our nation on our voice, and we have to keep it that way.

3.5 Concluding Comments

Many participants indicated that the problems discussed above are not exclusively the result of problems within the MNS electoral, citizenship and governance systems and that there are additional outside contributing factors. Nevertheless, many indicated that the MNS leadership should do its utmost to understand and eliminate problems within its electoral, citizenship and governance systems.

Many participants also indicated that although the Métis electoral, citizenship and governance systems have substantial problems, they are not unique in this respect. In making this point they suggested that government officials inside and outside the Métis Nation should understand that all political systems have problems and areas in which they can improve. Therefore, they would prefer that the problems within the MNS governance system be judged and addressed fairly. Their preference is that rather than casting proverbial stones, critics should be casting ideas and support for positive reforms that will help eliminate or at least minimize such problems in the future.

4. Next MNS Election

4.1 Introduction

The vast majority of participants expressed disappointment, disenchantment and even disdain at the way that the MNS election of May 2004 was conducted. Consequently, they are not willing to recognize some of the declared winners as legitimate representatives. They want another election, one that is managed and monitored by an independent and impartial commission, which will allow them to choose their next set of leaders. The central objective of this section is to outline the views of Métis people regarding the following matters:

- the need for a new election;
- the scope of the next election;
- the timing of the next election; and
- the administration of the next election.

4.2 Need for a New MNS Election

I want another election which I can trust.

We want to see an honest, fair election. That's what we want to see.

The majority of people say is that we need a re-election.

If we hold another election is the only way we are going to get everybody to participate.

To reiterate, the vast majority of participants indicated that they, along with the majority of people in their communities, believe that a new election is required. They added that Métis people generally recognize that not every community or polling station had problems and that where problems did occur they were not necessarily of either the same nature or magnitude. However, they believe that, collectively, the scope of problems throughout the system was unacceptably high. In their view, there were sufficient significant irregularities that compromised the validity and legitimacy of the 2004 election both within and outside the Métis Nation. Consequently, a majority of them agreed with the major conclusion of the Lampard Report—that the Métis people could not trust all the results of the 2004 election.

Only a handful of participants in the consultations did not agree that there was a need for a new election. Despite the long list of problems identified by others, a few individuals suggested that a referendum should be held to determine whether there should be another election. However, others noted that trying to have a referendum would not be easy given the existing problems with the citizenship registry and voters list. The preference of the vast majority of participants is to launch an election preparation process that will result in a democratic and fair election in the very near future.

We need to move that forward and we need to have a re-election and I firmly believe that the presidents should call that re-election. We need to have a spokesperson from each local rather then 100 people from each local with all the opinions. We need to take a position as to what the process should be. We are losing a lot of credibility in governments and every place else.

4.3 Scope of Next MNS Election

The vast majority of participants wanted another election to vote for the following positions:

- the four provincial executive officers (i.e. President, Vice-President, Secretary, Treasurer); and
- the twelve regional area directors.

This is the first time we ever supported someone from our own area ... He worked hard to get in ... there is some honest people that got in, those people should not be touched.

They're ashamed to be Métis because our votes don't count.

One elected regional representative indicated that should another election be held to remedy the problems of the last election, it should be limited to those positions for which election irregularities compromised the validity of the results. This, however, was a minority view.

4.4 Timing of Next MNS Election

The timing of the next MNS election is a matter of considerable importance for Métis people. The vast majority of participants demanded that an election should be held as soon as an independent and impartial commission can be established to administer it, rather than waiting for the next regularly scheduled election in May 2007.

The vast majority of Métis people recognized that the timing of the next election is highly contingent on how quickly the following tasks can be accomplished:

- producing a valid Métis voters list;
- producing an updated and valid Métis citizenship registry; and
- producing an updated and valid Métis Locals registry.

Start looking at establishing a third party organization to deliver the MN elections.

I think it's important to run an independent election.

We the Métis people and the taxpayer's of Saskatchewan should be running an independent election. If we allow our Métis politicians to appoint their people to conduct the next election it will not be a fair democratic election and a waste of our hard earned taxpayer's money.

Ever since we brought in the Métis Senate to judge our elections, to be our adjudicators, judges ... nothing has gone right.

Well if we can get a process in place that can automatically be updated every year so as you go from 15 to 16 next year they would be able to vote, so they would automatically on the voter's list, that would be part of the process. Then we wouldn't have the issue of dead man walking because it automatically takes them off the list.

I agree that we have to straighten out the voting list.

4.5 Administration of Next Métis Election

Regardless of when the next election is held, the vast majority of participants wanted to ensure that the election is conducted in a democratic and fair manner, and without any of the problems that occurred in both the 2004 election and some of the previous elections. It was therefore recommended that independent and impartial election officials be appointed to plan and administer the next election.

4.5.1 Role of MNS Institutions and Officials in Next Métis Election

The majority of participants indicated that the most significant roles that the existing MNS officials should perform in relation to the next MNS election are as follows:

- agree that such an election should be held as soon as possible; and
- provide access to all the necessary documentation and other materials to those who are assigned to plan, manage and administer a proper election.

They also indicated that (a) candidates from the 2004 election; and (b) MNS political and administrative officials at the provincial, regional and local levels should not perform any of the major planning, management or administrative functions in the next election. They were particularly clear and adamant that they do not want either the existing Métis Election Commission or any other commission that is not truly independent and impartial to plan, manage or administer the next election or hear any resulting appeals.

The consensus among participants in the community consultations was that the elected and appointed MNS officials have a moral and political obligation to listen to, respect and abide by the will of Métis people on the planning, management and administration of the next MNS election. They were clear and adamant that on this matter the collective will of the Métis people must prevail over the personal will of any candidates or officials.

4.5.2 Role of the Provincial and Federal Governments in the Next Métis Election

The majority of participants indicated that they did not want the autonomy of the Métis Nation to be compromised in either the short- or long-term. Nevertheless, given the current electoral problems and what some described as a "constitutional crisis" faced by the Métis Nation, they supported some involvement by the provincial and federal governments in three key areas:

- facilitating the creation of a neutral Métis Elections and Reforms Commission composed of highly knowledgeable, competent and respected Métis and non-Métis individuals;
- providing financial resources for the Métis Elections and Reforms Commission to perform its core functions related to any future election(s);
- monitoring the work of the Métis Elections and Reforms Commission to ensure that it performs its core functions effectively and efficiently in keeping with the preferences of the Métis people of Saskatchewan.

They added that a major function of the proposed Métis Elections and Reforms Commission in relation to the next election would be to prepare a work plan which identifies the timelines and the human and financial resources needed to accomplish four major tasks:

- producing an updated and valid voters list;
- producing an updated and valid citizenship registry of Métis people;
- producing an updated and valid registry of Métis Locals; and
- administering the next MNS election.

Such a commission seems to have been envisioned in the Poitras Report of 2001.

Ladies and gentlemen we are in a constitutional crisis. As to why we are here today. First of all this is our organization and this can only be fixed amongst ourselves. What comes into question at this time is that we better define what is the issue and problem. There are real serious issues here and the problems are the election process and our leadership. This is reflecting negatively on our nation and our governments. We need to take responsibility of our problems and define what those issues are and deal with them. I would suggest right now the issue at hand is a constitutional question mark. What brought that all about. I can say our elections have been under funded. We have not trained our electoral staff, we have not completed our enumeration or registry we have made attempts these are al issues and questions that have to be dealt with ... if we are going to deal with the constitution we better be serious about it. I suggest that we call a constitutional meeting we go on our own without any involvement government with our finances and deal with this constitution in particularly the issue as I see it is who runs it. The constitution is our laws that govern our actions and is our initiative for the future. In the constitution the senate had responsibility for the elections. It is unfortunate that we have used and abused our senators there is supposed to be no political bias. What we have done is that we have put them in a position where they are political and now it's reflected on our election and unfortunately it has reflected at the senate. Our respected elders we are taking shots at them and we put them are. What has to happen is that we have to call an constitutional meeting deal with that section in the constitution under the elections and if we don't want the senators to run the elections then we have to amend the constitution.

This registry should be handled by a neutral body.

4.6 Conclusion

To reiterate, the vast majority of participants believed that it is imperative to conduct a fair and democratic election in the near future. For that purpose it is important that the next election is planned, managed and administered by independent and impartial officials. The participants' hope was that such an election will result in the election of MNS officials who will restore the integrity, honour and pride in the Métis Nation. They believed that this is essential for undertaking significant and lasting reforms to the electoral, citizenship and governance systems needed for the Métis Nation to achieve its goals in the future. They also indicated that the next election is an important first step in this process, but that it is only that—a first step. Other important steps will have to follow in order to achieve those goals and to prevent a recurrence of the problems of recent years.

Because there was so many discrepancies, we decided as a local ... we took it upon ourselves to have the documentation here, have the documentation copied, have the photos here, have our own database here which we started so then we know we have started a process from the bottom from there we pass it on to where we are told to with the assumption it is going to reach the MNS if there is a discrepancy then we give them a copy of what we have got to the MNS so that its an assured system.

I think we should hand the power back to the grass roots people.

I also believe in, in the constitution that's before us, our Métis constitution. It took time and manpower to build that constitution. The only reform we have to have here is a little bit of honesty. Who should be involved? The grassroots people, you, me you, everybody. No more of these politicians jumping up and telling us what to do.

5. Reforms to the Métis Electoral System

5.1 Introduction

This section provides an overview of the broad issues related to the problems in, the reforms to, and the process for reforming the MNS electoral system. The details of issues and options identified in the oral and written submissions are contained in Part One of the Appendices to this report. Much of what was said in those submissions corresponds to what was said in both the Poitras and the Lampard Reports (see Appendix 2.1 and 2.2). Participants indicated that those reports, together with this report, constitute a good basis of information on which to undertake reforms to the MNS electoral system.

> *I looked at the last elections and have been greatly concerned and have felt very dishonored at the things that have happened and continued to happen. I am very proud of the people that said "enough is enough." We are not going to have that continuing in our organization.*
>
> *I wonder if my vote even counted.*

The vast majority of participants indicated that they want reforms to the MNS electoral system. They lamented that no action was taken either by the MNS or by the provincial government on the recommendations of the Poitras Report of 2001, and indicated that they had little confidence that either of them would act on the recommendations of the Lampard Report of 2004.

5.2 Problems in the MNS Electoral System

Many participants identified problems related to the following four elements of the MNS electoral system:

- the legislation and regulations of the MNS electoral system;
- the management of the MNS electoral system;
- the administration of MNS elections; and
- the level of financial resources available to conduct elections.

> *It is unfortunate that Métis people can't run our own elections and be responsible and accountable in doing that, but obviously, that's how it is. This isn't the first election that wasn't run properly. This is the first election that people just couldn't look the other way.*

5.2.1 The Legislation and Regulations of the MNS Electoral System

The first major set of problems with the MNS electoral system identified by participants focused on the existing legislation and regulations for MNS elections. They indicated that the existing MNS Election Act and the MNS Election Regulations are not fully developed or adequately detailed regarding the various major components of the electoral system (see Appendix 4.6 and 4.7). The prevailing view was that there are insufficient details in those documents regarding how to deal with some important matters in the election process, such as those that emerge in the following questions:

- What constitutes residency in any community or region for the purposes of membership in a Local, or for either standing as a candidate or voting in any particular locality or region?
- What are the factors that would warrant invalidating all the votes from a particular poll or ballot box?
- Who can appeal elections and what are the terms and conditions for doing so?
- What qualifications are required for managing and administering the electoral system?

> *We have to scream for another election date. We have to amend the Constitution; we have to plug the holes. We have to amend our Acts, our regulations, over time. But, the next election has to be run by an independent body.*

- What are the legal repercussions against anyone found tampering or misusing discretion with regards to any aspect of the electoral system?
- Can anything that occurs in MNS elections be appealed to the courts, or is the Métis Nation Legislative Assembly the final and binding arbiter?

Many participants recognized that the lack of details on such questions leaves both important voids in the election rules and too much discretion in the hands of the MNS Elections Commission and the MNLA.

In discussing the problem of excessive discretion in the hands of the MNS Elections Commission, participants indicated that this is especially evident in decisions it makes on invalidating or "throwing out" entire ballot boxes in the absence of any clear criteria on when it is appropriate or inappropriate to do so. They indicated that in exercising such extensive discretion, the MNS Elections Commission effectively has the power to decide the outcome of an election regardless of whom the winner would have been had those ballot boxes not been "thrown out."

There is very little in place to ensure that the election goes as per the Elections Act. I don't think there is problem with the Elections Act, I don't think there is a problem with the election system, it is the system surrounding it. There's always a challenge with membership. Come election time and there is always a challenge with the DRO's the poll clerks because they don't have the training. There is no resources in place to make sure that things are going the way they should be going. Speaking personally, within this region we have very few challenges because we try to do that internally on own with the resources that we do have. There is no triggers in place to make sure it doesn't happen province wide I guess.

In discussing the gaps and inadequacies in the electoral regulations, participants devoted special attention to the lack of provisions for political or legal consequences against any abuses or tampering with any aspect of the electoral system. Many participants were particularly concerned that there are no explicit provisions for recourse to the provincial or federal courts by anyone involved in the MNS elections if the following occurs:

- the election laws or regulations either have not been followed or have been broken;
- the various aspects of the electoral process such as ballots, ballot boxes or ballot counts have been handled improperly or tampered with in any way; or
- the rights of any election worker, voter or candidate have not been respected at some stage of the electoral process.

We can't have a Senate to be the MEC, run the election and then hear the appeals. It's like judge, jury and hangman. You can't have it both, three ways. I respect the Senate, I have ultimate respect, I have the utmost respect for the Senate. They've earned their way to the Senate, their lifetime appointments. But, we've put a lot of pressure on them. A lot of leadership in the past, when they couldn't handle the pressures of the day, well they said 'dump it on the Senate' and that's, well that can't happen any more in the future. The Senate can't be all three, there has to be an independent registrar, an independent uh electoral, Chief Executive Officer, lets have the vote, and lets have an appeal process where it's independent.

5.2.2 The Management of the MNS Electoral System

The second major set of problems with the MNS electoral system identified by participants focused on the overall management of the system. Many of them noted that the key problem is that the MNS electoral system is managed by the MNS Elections Commission, which consists of three MNS Senators appointed by the Métis Nation Legislative Assembly based on the Senate's recommendation. The MNS Elections Commission has three major roles related to elections:

- appointing the Chief Electoral Officer (CEO) and any other required personnel to administer the elections;
- conducting official recounts; and,
- hearing appeals related to the elections.

Section 34 of the MNS Election Regulations stipulates that candidates may appeal decisions of the CEO, but it is silent on whether appeals can be made by eligible voters regarding any matter related either to their own rights or any other aspect of an election. MNS Elections Commission decisions can be appealed to the Métis Nation Legislative Assembly, which is comprised of the following:

- all members of the Provincial Métis Council;
- four representatives of the Métis Women of Saskatchewan;
- four representatives from the Provincial Métis Youth Council; and
- all Local Presidents.

The decisions of the Métis Nation Legislative Assembly on any appeals are final and binding.

Many participants indicated that they did not have confidence either in the MNS Elections Commission or in the Métis Nation Legislative Assembly to serve as an impartial body in making decisions related to the management of the MNS elections or any appeals resulting from such elections. They indicated that their lack of confidence was based on a concern that those two governing entities are "politicized political bodies," rather than "independent or impartial judicial bodies." Those who provided written submissions were almost unanimous in their belief that management of MNS elections and any resulting appeals should be dealt with by "an independent and neutral Métis election agency." (See Appendix 1.2).

I think that whole MNLA system needs to be scrapped. It takes the voice away from the average Métis person like myself. I mean, I can't go to a meeting and speak.

5.2.3 The Administration of MNS Elections

The third major set of problems with the MNS electoral system identified by participants focused on the actual administration of the elections prior to, during and after election day. For a detailed listing, please see Appendix 1.3 and 1.4.

(a) Lack of adequate help from the office of the Chief Electoral Officer

Many participants indicated that a major problem was that the office of the MNS CEO was unable to provide the required help prior to, during and after election day. Several local political officials, as well as election officials operating local polls in recent elections, indicated that they were unable to receive sufficient support and information on voters lists, polling stations and technical and procedural matters.

We have to have definitely trained people to run the next elections.

They indicated that prior to, during and after election day, they experienced the following:

- they could not receive answers in a timely manner;
- they could not get through because the phone was busy; or,
- they did not receive responses to some of their questions.

I couldn't get on the election list. I tried to get a Métis card but I didn't get a response. I voted before and I had the old card.

I have two cards and I wasn't on the voter's list.

A really good voter's list has to be in place.

(b) Lack of a valid updated voters list

Many participants indicated that another major problem was the lack of a valid updated voters list. Many local representatives indicated that when they received their voters lists, those lists did not reflect the updated membership lists that they had submitted to the provincial MNS Office. They noted that even after they brought this discrepancy to the attention of MNS officials, corrections were not made. Similarly, many indicated that they could not understand why they had problems getting their citizenship cards. Others indicated that they could not understand why they were not on the voters list even though they had a citizenship card. Many were also appalled that deceased members were on the voters list, while living members were not.

... one month's notice we need a little more time to get the information out there to get the candidates known.

(c) Lack of voter information at election and polling stations

Another problem in the administration of MNS elections that was identified by participants was a lack of readily available information. This included the date of the election, the location of polling stations, and the types of identification required to vote depending on whether one's name was on the voters list or not.

I think that's one of these questions here you know before the election make sure the people are trained to run the election. That's what they should do for these elections to. Just get the proper training done and that way they know they can't turn anybody down.

(d) Lack of training for local election officers

An equally significant problem in the administration of the MNS election identified by participants was a lack of adequate training for local election officers. Many of those officials indicated that they were promised some form of training but none was provided. Consequently, many of them had to rely on either the information contained in the sealed ballot boxes or the advice and experience of those who had worked on elections in the past. This included information and advice on important matters such as how to administer their polls, the compilation of poll books, the counting of votes and the sealing and returning of ballot boxes.

We keep talking about training of the DRO's and the poll clerks but I think it can't stop there I think it has to go to higher levels so that when you phone in and have a question so that the person that is responsible can answer that question without having to go to three or four people in the room.

(e) Lack of timely information for local election officers on administering polls

Many election officials indicated that the administrative problems noted above regarding their lack of training was compounded by the fact that they were instructed not to open the sealed ballot boxes prior to the polls opening on election day. Consequently, officials were learning the rules at the same time that people were showing up to vote.

(f) Lack of Controls against irregularities, misuse of discretion and tampering

Many participants also pointed to the lack of controls against irregularities, misuse of discretion and tampering. Many of them indicated that the lack of such controls had contributed to the alleged irregularities, misuse of discretion and, in some instances, even outright tampering with various aspects of the electoral process prior to, during and after election day. Many noted that they were astounded by the vulnerability of the MNS electoral system to such alleged irregularities, discretion, and tampering. Such problems were alleged to exist in the following:

- the production and distribution of valid updated voters lists for each polling station;
- the inclusion of deceased persons on voters lists, who, according to some of the poll books, were also listed as having voted;
- the determination of who could or could not vote;
- the recording of those who voted in the poll books;
- the entry of signatures in the poll books;
- the distribution and monitoring of ballot boxes;
- the "stuffing" of ballot boxes;
- the number of persons voting at polls in some communities being higher than the number of Métis people in that community;
- multiple voting by individuals; and
- the "throwing out" of entire ballot boxes.

There should be a new election. How many dead people voted? You know, what was the reason for dead people voting? Did somebody need votes that bad?

The main point of a democratic election is the ballot box should be totally respected.

In the rule book it doesn't say nothing about, you know, so a person can't go from one community to another to vote. They just stay in that one community... There were two ladies that made the whole circuit.

We need to have a stronger identification for voters ... therefore we wouldn't have dead people voting.

5.2.5 The Level of Financial Resources Available for Elections

The fourth major set of problems with the MNS electoral system identified by participants in the consultations is the level of funding available for its operation. They noted that there are insufficient funds not only to establish appropriate management and administrative mechanisms but also for the appropriate training, advertising and operational initiatives to ensure that the electoral system works in an efficient, transparent and accountable manner. Some noted that the MNS is one of the largest membership-based organizations in the province in terms of actual members and eligible voters. Consequently more financial and human resources are needed for the MNS to conduct its elections than has been allocated in the past.

A voters list in each area be created as a permanent record, with additions and deletions made as necessary. Locals are capable of doing this, but are always lacking funds.

We do need more dollars to run an election; you can't run one on a shoestring budget. It's just impossible, and there should be workshops for these DROs and even for the chief electoral officer.

5.3 Reforms to the Electoral System

The majority of Métis people who participated in the community consultations indicated that they favoured a wide range of reforms to the MNS electoral system to address the problems discussed above. A detailed list of reforms which they advocated is found in Part One of the Appendices. The objective here is to outline some of the potential reforms identified either directly or indirectly by those who participated in the consultation process for reforming problematic elements of the MNS electoral system.

Need to have stable process that people can rely on

The Métis electoral system needs a major overhaul.

5.3.1 Reforms to the MNS Election Legislation and Regulations

Many participants familiar with the rules and regulations of the MNS electoral system indicated that the MNS electoral legislation and regulations are in need of a complete overhaul to eliminate existing problems. They indicated that the MNS Election Act and the MNS Election Regulations must be amended to embody the general principles and provisions of a reformed electoral system envisioned either in this report or in any other electoral reform plan that emerges from the general recommendations of this report.

A priority should be declared and initiatives set out to ensure a healthy electoral system. The reform efforts should be cooperative and designed to identify, protect, and assist individual efforts to effectively participate within the Métis Nation's overall electoral system.

5.3.2 Reforms to the Management of the MNS Electoral System

The vast majority of participants indicated that the first area in which reforms to the electoral system should occur is in the appointment of an independent and impartial election commission composed of qualified, knowledgeable, competent and respected individuals. The vast majority indicated that initially such a commission should be appointed by the federal and provincial governments in consultation with Métis people. Eventually, however, the commission should be reestablished in consultation with newly elected MNS officials who have been chosen in a democratic and fair election.

I think independent from politics, but not necessarily independent from Métis people.

Those who addressed the issue of creating an independent and impartial electoral commission indicated that it should coordinate the processes needed to perform the following two tasks:

- conducting any MNS election(s) in the near future; and
- reforming the MNS electoral system.

In coordinating the processes for conducting any MNS election(s) in the near future, the general consensus was that the independent and impartial election commission should be responsible for ensuring that processes are in place for:

- appointing a CEO to coordinate the administration of any MNS election(s);
- contracting/appointing, training and certifying any election officials (e.g. senior administrators, deputy returning officers and poll clerks);
- producing budgets and financial statements for the elections;
- producing a valid and updated voters list; and
- dealing with any appeals resulting from any MNS election(s).

There has to be a change. I'm not saying that Métis people can't run the election. I think we are going to have to have a third party involved.

We have to do something different. We have to get other people involved. Someone who is at arm's length from the Métis Nation.

I don't want the government running our elections. We're a Nation of people. We are capable of making our own decisions but give us a chance at the polls to do it. Yes, I think the first year, I think it should be supervised, but not taken over by the government, the Métis people will run their own elections. In my opinion the government should step in and take over our elections for a couple of elections. Train the people who will be running them in the future. Train them to do it right. If we did this at a provincial level or even a federal level the people would be in jail for what's going on.

Someone needs to partner with the MNS and walk with the MNS for a while until the MNS is, has grown enough in order to do things properly themselves. Right now I don't see that they have the uh interests of the Métis people at heart.

Consideration should be given to whether the Métis Elections and Reforms Commission proposed in this report would be the logical body to perform the foregoing functions in the future.

5.3.3 Reforms to the Administration of MNS Elections

The vast majority of participants indicated that a knowledgeable, reputable and impartial person should be appointed as Chief Electoral Officer. The principal function of the CEO would be to administer any future Métis elections at the provincial, regional or local levels. Initially, the CEO would be appointed by the proposed independent and impartial Métis Election and Reforms Commission on a fulltime basis for a term of three to five years to ensure that the person would have adequate time to administer all provincial, regional and local Métis elections. For that purpose, the CEO would be responsible for the following matters:

- contracting others to assist with the administration of elections;
- producing and maintaining a valid and updated voters list;
- training and certifying a network of local electoral officials throughout Saskatchewan;

- preparing all election materials; and
- maintaining election records.

Eventually the appointment of the CEO would be a matter negotiated between the MNS officials who are elected in a democratic and fair election and the Métis Elections and Reforms Commission, either in its original form or in some reconfigured form.

> *I don't think the way things are done right now, that we can run our own elections. We need an independent body that has nothing to do with the Métis Nation of Saskatchewan that can coordinate and run our elections. I'm sorry to say it, it's like we are little kids that can't take care of ourselves. But through the years things have happened, this is the route we may have to go for a while.*

5.3.4 Reforms to Prevent Irregularities, Misuse of Discretion and Tampering

Participants indicated that to enhance the security of the electoral system against irregularities, excessive discretion and tampering, it is important that all the major reforms suggested above to the rules, management and administration of the elections are developed and implemented properly. The vast majority of participants wanted appropriate regulations, enforcement mechanisms and consequences established that would eliminate irregularities, abuse of discretion and tampering. On this particular matter, the Métis people want to send a very strong message that election irregularities, abuse of discretion and tampering will not be tolerated and that those responsible for them will be held accountable.

> *We need accountability in our system. Accountability and responsibility.*

> *It should be stated in the Elections Act that any wrongdoings should fall under the Canadian Elections Act and any type of ballot box tampering or anything they are liable for 5 years in prison and that's the way it should be.*

> *We don't have any consequences within our regulations. That's what we need to include.*

5.3.5 Reforms to Funding for MNS Elections

As noted above, many participants indicated that the level of financial resources that have been devoted to funding recent MNS elections is inadequate for establishing:

- appropriate management and administrative mechanisms; and
- training, promotion and monitoring mechanisms needed to conduct elections effectively.

> *The election process itself has to be properly resourced.*

> *I think the one thing we have to recognize when it comes to an election is that it all comes down to finance, and governments also have to take some responsibility whether it's the Métis government or the mainstream governments, that if you don't put money towards the process, how do you expect the process to work?*

They also indicated that the federal and provincial governments must ensure that such resources are available in the short- and long-term for both of those purposes. They added that it is important to ensure that the appropriate financial reporting and accountability mechanisms are in place so that the right people use such resources for the right purposes. The level of funding will have to be considered in conjunction with any reforms that are ultimately implemented. The more ambitious and appropriate are the reforms to be implemented, the greater is the amount of funding that is likely to be required.

5.4 Process for Reforming the Métis Electoral System

Many different processes could be used to reform the Métis electoral system over time. In discussing processes for reforming the Métis electoral system, several questions emerge:

- What should be the timeline?
- Who should initiate the process?

> *The long term solution is certain and fair honest electoral system devised and operated by Métis people.*

- Who should produce the proposal(s)?
- Who should approve any proposed reforms?

Many useful answers to these questions are found in the summaries of the written and oral submissions of those who participated in the consultation process contained in Part One of the Appendices. The objective here is to provide a brief overview of their answers.

Take whatever time it takes, but do it right.

5.4.1 Timeline for Reforming the Métis Electoral System

The vast majority of participants indicated that the timeline for reforming the Métis electoral system should be as short as possible without compromising the ability to produce appropriate reforms. Many indicated that ideally the entire electoral system should be reformed before any Métis elections are conducted at any level.

Going back to the grassroots, they should have say on what kind of reform.

I think first you have to have your reform then followed by an election but in that, government should be involved.

5.4.2 Initiating the Process for Reforming the Métis Electoral System

Many participants indicated that given the current impasse in the operation of the MNS political system resulting from the indeterminate results of the 2004 election, responsibility for initiating the process for reforming the Métis electoral system rests primarily with the provincial and federal governments in consultation with respected members of the Métis community.

There has to be a change. I'm not saying that Métis people can't run the election. I think we are going to have to have a third party involved.

5.4.3 Producing the Proposal(s) for Reforming the Métis Electoral System

Many participants indicated that the process for reforming the MNS electoral system must involve highly qualified and impartial individuals. For that purpose, they recommended the establishment of a special committee to produce an electoral reform plan based on recommendations contained in the Poitras and Lampard Reports, as well as this report.

5.4.4 Approving any Proposed Reforms to the Métis Electoral System

Many participants indicated that any reforms to the MNS electoral system should be reviewed and approved by the Métis people through mechanisms such as:

- a province-wide general assembly open to all Métis people;
- a series of "regionally based" general assemblies;
- a constituent assembly of representatives from each MNS Local;
- a plebiscite involving all Métis people; and,
- a document that is made available to the Métis people for their review and reaction.

5.5 Conclusion

In summary, the majority of participants indicated that they favoured extensive reforms to the MNS electoral system and believed that those reforms should occur as soon as possible. Regardless of who initiates such reforms or the processes that are used to produce them, the participants indicated that they must be reviewed and ratified by the Métis people.

This section has not itemized all the problems, potential reforms and potential processes for reforming the MNS electoral system. There are many specific aspects of the MNS electoral system that should be addressed by those who will be responsible for producing a plan for reforming it. This includes:

- the appropriateness of existing boundaries for regional and local electoral districts;
- the appropriateness of particular dates for conducting MNS elections at the provincial, regional, and local levels; and
- the appropriateness of voting instruments, such as types of ballots used (e.g. voting at polls versus voting by mail) and means of voting for local officials (e.g. secret ballot versus show of hands).

Clearly, there is much in the MNS electoral system that must be reviewed and reformed, and it is imperative that they are initiated and completed as soon as possible.

I believe we need the Provincial Government and/or Federal Government to organize and control our elections because we have proved over the years that we cannot run an election without being corrupt. The Government should assign an independent and neutral Métis Agency for the elections.

I think there has to be a temporary thing, because there needs to be an immediate solution. If we put this process in the hands of the government it will be done quickly. If we leave it in the hands of the Métis Nation have everybody decide, it will be months and months. In the meantime our credibility as a Métis Nation is going down very quickly not just with the government, in general and across Canada, so it's something that has to be done temporarily and quickly.

I think it has to be a total overhaul of the Métis Nation of Saskatchewan not just our election process and I feel our election process would run smoothly if we had the right people running the election.

The Métis at the grassroots level definitely have to be involved in changing the Métis electoral system. There has to be legitimate electoral or voters lists.

6. Reforms to the Métis Citizenship System

6.1 Introduction

Participants noted that the citizenship system is fraught with problems related to the administration of the citizenship application and registration, and to the production and distribution of citizenship cards. To address these problems they recommended several reforms to for the citizenship system.

We cannot take a step before we, I would say that this has to be done. They have to get that straightened out once and for all. As long as they keep bringing up the issue over and over again, "who is Métis" and "who isn't Métis," I have a card that is signed by my Local and signed by the President now, if that isn't valid than what is?

Some participants noted that the time has come to address an important conceptual issue. Such participants pointed to the confusion that prevails among Métis people regarding the use of the terms Métis 'citizenship' and 'membership.' Whereas as some felt comfortable using the two terms interchangeably, others felt that membership in an organization such as the MNS should not determine Métis citizenship.

I never did like that membership idea; we are not a Lions Club or Kiwanis. It's not Métis membership, its Métis ctitzenship.

6.2 Problems in the Citizenship System

The four major sets of problems within the citizenship system identified by participants include:

- developing and maintaining an updated citizenship registry;
- registering as a Métis citizen;
- obtaining a valid and permanent citizenship card; and
- appealing decisions regarding citizenship and citizenship cards.

The most important thing to work on is that registry.

The new members are actually having a hard time getting their memberships or getting their Métis cards.

The major points raised by participants regarding each of those sets of problems are summarized below.

First, in the case of problems related to developing and maintaining an updated citizenship registry, many participants were very disappointed, disheartened and, in some cases, even angry to hear that one still had not been developed. Those who were aware that several years ago the federal government had transferred a substantial amount of funds to the MNS to produce a comprehensive and permanent citizenship registry wanted to know why it had not been completed and what had happened to the money designated for that purpose.

The most important thing is to have an honest updated membership list because it is very painful when you go to vote and you can't vote because you are not on a list, but yet your deceased mother is on a list or your deceased father is there or someone that in the corrections center.

Second, many participants noted that they, along with members of their families and communities, had experienced problems processing their citizenship applications. Some indicated that the citizenship application process is not consistent in all Locals or even for all applicants within the same Local. Others indicated that long after submitting their applications for citizenship they still had not received any communication from the MNS provincial office as to:

- whether their application had been received;
- whether their application had been approved; and
- when they could expect to hear whether their application was approved.

I am just saying that we need to have consistency. There are a lot of members out there that don't have cards.

[There] should be one card, one membership, that's it. One citizenship, same as First Nation people, just because they leave the reserve doesn't mean they're not part of that reserve anymore.

Many participants indicated that in many cases when citizenship candidates have contacted the MNS provincial office regarding their citizenship application no one was available to respond to their questions. The lack of response led some to wonder whether their applications either had been lost or were not being processed.

Third, many participants indicated that the process for obtaining Métis citizenship cards has also been flawed. They identified at least three problems, including:

- non-Métis people receiving membership cards while Métis people have been unable to get theirs;
- cards not being transferable between Locals when individuals move from one community to another; and
- the production and distribution of multiple membership/citizenship cards over time rather than a valid lifetime card that is valid across the province and across Canada.

The enumeration has to be done. You can't have an election without the Enumeration.

I think we need a proper enumeration in order for the election to go smoothly and that requires resources we don't have.

Fourth, many participants who encountered problems in either processing their citizenship application papers or obtaining citizenship cards lamented the absence of a neutral and impartial agency to which they could appeal their case. When told that one of the Senate's functions is to serve as an appeal mechanism, many participants indicated that, given the way that Senators are currently chosen, a Senate committee was not the appropriate organization to serve as an appeal mechanism for citizenship matters.

Let's put the office in Batoche, in that building. Uh, it's central, it's in our traditional territory, and it's in Batoche.

A central registry needs to be set up away from the political office or MNS politicians, Area Directors, Presidents. The staff must be hired independently and not be influenced by any politicians. In other words, the MNS leadership cannot hire or fire. From the central registry the staff can screen memberships and membership applications and approve based on their genealogy etc., this will prevent abuse and influence from the outside. For once we will have lifetime membership and not waste anymore of the member's time and the taxpayer's money. From the central registry, the approved membership and electoral list can be created for election purposes. The Chief Electoral Officer and staff can work out of this office at election time. Their positions can be open to all Métis, but must be hired by an independent body. For registration to be Métis I would like to see it where I am not only recognized by the Métis organization I would recognized by the province as well as by the country as being a registered Métis.

6.3 Potential Reforms for the Citizenship System

To eliminate, or at least reduce, all the foregoing problems, the vast majority of participants indicated that they wanted the citizenship system to include the reforms outlined below.

6.3.1 Citizenship Registry

The vast majority of participants indicated that they wanted the development and maintenance of a permanent and up-to-date citizenship registry. They suggested that such a registry is absolutely essential for each of the following:

- for Métis people pursuing their rights and for access to Métis programs and services;
- for the MNS in identifying Métis citizens/members to further advance their collective rights and entitlement as Aboriginal peoples of Canada; and
- for the provincial and federal government to calculate the size and demographic configuration of the Métis Nation for various matters, such as the recognition of Métis rights and the development and funding of various programs.

6.3.2 Citizenship Registration Office

The vast majority of participants also indicated that it is imperative to establish an independent and impartial Métis Citizenship Registration Office. Although there was a high degree of consensus on the creation of such an office, there were different views with regard to who should appoint the Citizenship Registration Officer and where the Citizenship Registration Office should be located. Options proposed regarding who should appoint the Citizenship Registration Officer included the following:

- the MNS in consultation with Métis people;
- some combination of representatives from the MNS and the provincial and federal governments in consultation with Métis people; or
- a special panel appointed by provincial and federal ministers in consultation with Métis people.

Those who indicated that the MNS should perform some role in the appointment of such an officer suggested that it should not do so until after the Métis Nation has conducted a fair and democratic election. Options proposed regarding where the Citizenship Registration Office should be located revealed consensus on some matters but not on others. The consensus was that it should not be located within the same building as the MNS offices. However, there were differences on two notable matters: first, regarding in which Saskatchewan community it should be located (e.g. Batoche, Saskatoon, Regina); and second, regarding whether it should be located separately from MNS head offices either in buildings that contain the offices of any Métis affiliates or in buildings that contain any independent and impartial provincial and federal government agencies.

6.3.3 Citizenship Registration Process

The vast majority of participants also indicated that they wanted improvements in both the citizenship application process and the citizenship card granting system. More specifically, they wanted a process that is properly organized, efficient and tamper resistant. For that purpose, they wanted the various orders of government to ensure that requisite resources are available to recruit and retain qualified persons to develop and maintain the citizenship registration system. The first major task of such persons would be to develop a citizenship registration system that eliminates, or at least minimizes, all problems that exist within the current Métis citizenship registration process.

6.3.4 Citizenship Registration Appeal Process

Finally, the vast majority of participants indicated that they wanted a citizenship registration appeal process established that is insulated from improper interference by any MNS political and administrative officials or any other members of the Métis Nation. Many indicated that in addition to an independent and impartial Citizenship Registration Officer for this purpose, it would be prudent to establish an independent and impartial Citizenship Appeal

They have to be accountable and credible. We have to work with the grass root local people because local people are the ones who who are Métis and who they are you can't ask somebody in Saskatoon about my local in XXX about who is a member and who isn't.

Membership cards be a permanent record, and the numbers on the cards can be used for identification at the polls. As well, the provincial hospitalization numbers be recorded with membership cards as a cross-reference for identification. We know hospital card numbers are permanent.

You're talking about an institution; you're not talking about workers in the institution. You are talking about the registry as long as they have some clear roles in terms of what their mandate is to do and as long as they are not conflicting each other's roles because that is one of the challenges that we facing here today because of those conflicting roles.

Long term, we need to look at developing a registry institution start looking at making sure that the Métis registry is in place and that it's consistent with the Métis across the province and also having this registry perhaps looking after Métis electoral commission or to administer the elections act so that it's consistent but there has to be a clear role in the mandate.

Office consisting of a few highly knowledgeable, competent and respected individuals who would hear and make decisions regarding appeals.

Some who spoke on this issue indicated that they preferred that a committee of the Métis Senate not serve as an appeal mechanism for citizenship matters. They indicated that asking Senators to perform this function puts too much stress on them because they have to make very difficult decisions about families and individuals. The prevailing view was that, given their traditional role as respected elders, the principal function of Senators should be to provide valuable advice to Métis families, individuals and leaders.

Well if we don't want those dead people voting then we better have an enumeration. There is no sense having an election if they are not going to take the time to do that. ... we need a central place where nobody can touch that document.

I think we reached a very critical time and the membership lists they can not be subject to manipulation by individuals even if they are presidents of locals or who ever we need this independent arms length 3rd party to handle the registration of members, the membership is for life, I was born Métis and I will die Métis and regardless of what political system. I know who I am and I am proud of it.

6.4 Concluding Comments

To reiterate, the vast majority of participants noted that the effective and efficient operation of the Métis citizenship system is essential for the Métis people, the MNS and the federal and provincial governments. Therefore, it is in the interest of every Métis citizen, the MNS and the federal and provincial governments to ensure that the Métis citizenship system is reformed. For that purpose, they implored various orders of government to make available the human and financial resources needed to develop and maintain a proper citizenship system.

7. Reforms to the Métis Governance System

7.1 Introduction

The majority of participants indicated that reforms were needed to the following two major components of the Métis governance system at the provincial, regional and local levels:

- The MNS governance documents; and
- The MNS governance institutions.

The Métis Nation has to come up the with policy, process and procedures on how to govern ourselves. We need to come up with the solutions our selves.

We have to change our way of operating from the locals up to the upper Echelons of the Métis Nation. Right from the locals up. It has to change.

The problems and potential reforms to each of these two major components of the MNS governance system are discussed below. The participants indicated that the nature and scope of the problems were not the same for all documents, institutions, regional councils, or local councils. The consensus was that wherever problems exist, regardless of size, every effort must be made to address them.

7.2 The MNS Governance Documents

But you have got to respect our Constitution, as flawed as it is. That is what our Nation lives by. If it's not working, you don't throw the nation out the window, you make the changes that need to be made to make it work.

We need to identify that we are not abiding by our own Constitution.

The problems of the MNS governance documents identified by participants focused on two major sets of documents related to the electoral, citizenship and governance systems. The first set comprises those that apply to the entire MNS political system at the provincial, regional and local levels, the most notable of which are the following:

- Métis Nation Constitution;
- Métis Nation Citizenship Act;
- Métis Nation Election Act;
- Métis Nation Election Regulations;
- Métis Nation Legislative Assembly Act; and
- Métis Nation Senate Act.

The second set comprises the MNS governance documents that apply to particular regional and local councils, which are known as regional and local constitutions or bylaws.

7.2.1 Problems in MNS Governance Documents

The Constitution is only as good as people who will follow it. Now we have a constitution at the provincial level, area level, and the local level and there is no one to police it and people abuse it. They make their own rules so I don't know how you are going to control it?

There's a whole lot of things that have to be looked at in regards to ensuring that our constitution followed, ensuring that there is some sort of mechanism by which we as members can hold our leaders accountable, um and we have to ensure that our leaders first and foremost follow that constitution.

Comments by participants regarding the governance documents generally pointed to the following four types of problems. The first type of problem is that these documents are missing some valuable provisions related to policies and procedures needed for governance purposes. This includes, for example, the absence of provisions related to the following matters:

- conflict of interest situations involving any elections officials (other than the Chief Electoral Officer and the Election Commissioners);
- appeals by Métis people who are denied the right to vote for any reason, because under Section 34.1 of the MNS Election Regulations, which deals with appeals, only candidates have a right to appeal certain matters;

- the rules regarding precisely under what conditions an entire ballot box will be considered invalid;
- legal consequences for persons who break any rules in the MNS constitution, acts, or regulations;
- appeals by Métis people within the MNS governance system on some electoral, citizenship and governance matters; and
- appeals outside the MNS governance system to the courts for irregularities that occur in the MNS electoral, citizenship and governance systems.

In our constitution first and foremost, there's nothing in there if a leader, an elected leader is not performing, is not um behaving in a fashion that a leader should behave, there's nothing for us to hold them accountable.

The second type of problems identified by participants is that such documents contain unclear or ambiguous provisions related to certain policies and procedures. Notable examples include provisions regarding:

- what constitutes residency for candidates and voters;
- access to certain organizational documents;
- access to programs or services provided by the provincial, regional or local councils; and
- when a Local shall be considered to be "active" or "inactive."

The Constitution and Elections Act should be developed in partnership with federal and provincial government.

The third type of problems identified by participants focused on the awareness of and accessibility to such documents by Métis people. Some participants indicated that they did not know precisely what governance documents existed. Some of those who were aware said that those documents were not always easily accessible. Even some elected officials indicated that they were unaware of, or did not have access to, such documents because they were not filed in one central location that is accessible to all legitimately elected and appointed officials.

Unfortunate that we have used and abused our senators there is supposed to be no political bias. What we have done is that we have put them in a position where they are political and now it's reflected on our election and unfortunately it has reflected at the senate. Our respected elders we are taking shots at them and we put them are. What has to happen is that we have to call an constitutional meeting deal with that section in the constitution under the elections and if we don't want the senators to run the elections then we have to amend the constitution.

7.2.2 Potential Reforms to MNS Governance Documents

To address problems related to the MNS governance documents, many participants advocated the following initiatives:

- reviewing the MNS governance documents that apply at the provincial, regional and local levels;
- examining whether all regional and local councils have the required governance documents; and
- increasing awareness regarding the existence of, and accessibility to, the governance documents of all regional and local councils.

7.3 The MNS Governance Institutions

Those who participated indicated that there are four types of problems in the MNS governance institutions. These include:

- structural problems related to the configuration of governance institutions;
- functional problems related to the roles performed by various governance institutions;
- operational problems related to the way that governance institutions

conduct their official activities; and

- financial problems related to the level of financial resources available to the governance institutions.

7.3.1 Structural Problems in the MNS Governance Institutions

Participants identified several structural problems to the MNS governance institutions at the provincial, regional or local levels.

At the provincial level, they noted an absence of an independent and impartial office(s) which is needed to perform key functions related to Métis elections, citizenship and administrative activities, which, according to the MNS governance documents, are to be performed largely by the Senate.

At the regional level, some participants noted that regions are not organized in a manner that provides balanced representation on the basis of the population, size or linguistic profile of the members of each region. Whereas some suggested that regions should be organized in a manner that ensures a balance in the number of members in each region, others suggested that regional boundaries should also correspond to the linguistic profile of the various communities. The notable example of the latter is La Loche and some of the smaller surrounding communities that are populated primarily by Dene-Métis who feel that they would be better served by the MNS governance system if they constituted a separate region.

At the local level, participants noted that confusion prevails regarding the creation and dissolution of local councils. Many stated that in some communities they were uncertain regarding which Locals had been either created or dissolved at various points in time, and who had made the decisions to create or dissolve particular Locals. They believed that a few individuals were making these decisions without any involvement by the majority of Métis people in such communities.

7.3.2 Potential Reforms to the Structure of the MNS Governance Institutions

The participants identified several potential reforms for dealing with structural problems within the MNS governance system.

At the provincial level they advocated for the creation of one or more independent and impartial offices needed to perform important managerial, administrative and judicial functions that are currently performed by the Senate. This includes, but is not limited to, the following:

- an independent Electoral Commission to oversee the administration of elections and hear appeals on electoral matters;

I do not know that the interests for the people in the North would be the same for the people in the south. Could you turn around and pick 5 people from the south and say they are going to represent everybody all across the province I don't think so. I also think it's important to get each locals point of view and what they have to say rather than somebody from the government whoever figures is going to be good at the job and something as important as that should be decided by a broad field not just a few individuals they should have representation from each local as far as I am concerned.

The independent and neutral Métis election agency. I think we, we do need tha ... this is where I think we should have that, a separate body run that uh election agency. That agency couldn't be coerced, or bought or manipulated by anybody. They have no political affiliation with anybody running. They don't carry any vendettas or axes to grind. They may bring more experience running elections. They're unbiased, untainted, unaffiliated, understanding professional, fair. And that process, will respect the will of the Métis people.

The Dene Métis is a strong Métis in the province. If we have a Dene Métis reion, that way the Dene Métis don't have to fight with the other Métis, they just appoint somebody ... our area director doesn't speak our language.

Who should look after the elections? I think there should be a panel or a committee voted by Métis people. A set committee where they are totally, where there have absolutely nothing to gain, where they will be fair and that's the only way I see it working if it's a committee that's being set up.

- an independent Citizenship Commission to oversee the administration of the citizenship registry and to hear pertinent appeals;
- an independent ombudsperson to assist Métis people with problems that they encounter with any political, managerial or administrative component of the MNS governance system; and
- an independent Mediation and Arbitration Commission to hold hearings and to decide on various types of internal MNS disputes, including those emanating from the regional and local MNS organizations.

Having an independent registry, I agree with that and it needs to be away from the MNS head office. And so does the Chief Electoral Officer, this way we don't have people pressuring that individual to do this that or the other.

Participants did not indicate whether separate offices were required to perform each of these functions, or whether a single office could perform two or more of these functions.

At the regional level, participants proposed that the geographic configuration of the regional councils should be reformed to ensure that there is fair representation based on the number of Métis people in each region and possibly also on the basis of the cultural and linguistic composition of some communities. The suggestion to consider this latter proposal was raised in conjunction with La Loche and some neighbouring villages that are predominantly Dene-speaking communities.

At the local level, participants proposed that greater control is required to ensure that the creation and dissolution of Locals should be conducted and monitored much more carefully, with an appropriate level of involvement by Métis people in local communities.

Now what I can see there is that the senators have a lot of power and again uh, I'm saying we should respect our elders, we should have these people in the Métis Nation but their power should be clearly spelled out in regards to what issues. By all means they should act as an advisory board because their knowledge is vital to making sure that we have a healthy nation.

7.3.3 Functional Problems in the MNS Governance Institutions

The functional problems identified by participants focused on the Senate and the General Assembly. Participants noted that according to the MNS Constitution the Senate is supposed to perform an independent and impartial judicial function, but in practice the Senate has become politicized. This is an important issue because, according to Article 8 of the MNS Senate Act, the Senate's responsibility is to perform the following set of functions:

1. Mediation and Arbitration
2. Veteran's Affairs
3. Central Registry and Citizenship Appeals
4. Regional and Local Disputes
5. Management of the Métis Nation-Saskatchewan during Election Period
6. Ceremonial Activities and Exchanges
   (a) Conducting Opening/Closing Ceremonies
   (b) Directing Swearing-In Ceremonies and Oaths
   (c) Presenting Awards and Gifts of Recognition
   (d) Displaying Métis Flags and Sashes

Those who addressed this issue felt much more comfortable with the Senate performing the ceremonial functions rather than any of the other functions listed above. Some indicated that, quite apart from the problem of the Senate not being sufficiently independent and impartial, there was a problem of holding Senators accountable because they are appointed for life and are not elected by Métis people in their respective regions.

They can't be removed. The only people that can directly challenge them ... is other Senators.

A second functional problem identified by participants relates to the General Assembly which, according to Article 11 of the MNS Constitution, is to be convened every year by the Métis Nation Legislative Assembly (MNLA) and exists to perform the following functions:

> The General Assembly shall provide a Forum whereby the members of the Organization will receive information, review developments and provide guidance to the Métis Nation Legislative Assembly, and discuss, clarify, amend, vote on and ratify amendments to the Constitution.

Participants indicated that the functional problem related to the General Assembly is that it is not performing its core functions of providing a forum for Métis people to express their views. They were troubled by the fact that the General Assembly has not always been held on a regular basis, and that when it is in session discussions are often dominated by a few individuals.

I should be able to talk to my local president ... I should not feel threatened in any way.

We need an AGM. I'm not going to go for an MNLA, a Métis Nation Legislative Assembly because locals are getting kicked out. And those people that are, want to speak out, and and change what has happened will not be allowed a voice there. And more importantly, the voice of Métis people is not allowed at the Métis Nation Legislative Assembly because the only people that can speak there are the Presidents, the PMC, four Métis women and four Métis youth. We need an AGM and the true voice of the Métis people need to be heard! The other thing that I, I would say, when we get this AGM, when we get this AGM, we need or the AGM, the Métis people should appoint committees. And the committees should consist of this: the election committee and I would suggest this, that election committee primarily be Métis, but there should be one federal and one provincial official on there on the committee so that they all play a role, and are partners, are true partners. And they know the process is fair.

7.3.4 Potential Reforms to the Functions of the MNS Governance Institutions

Participants indicated that proposed reforms to the function of the MNS governance institutions would include limiting the Senate's responsibility to performing the important ceremonial functions listed in Article 8 of the MNS Senate Act outlined above. They added that other offices should be established to relieve the Senate of its judicial and management functions.

Participants who commented on the General Assembly indicated that some attention should be devoted to reforming it in a manner which ensures that it performs its functions more effectively. For that purpose, they suggested that there should be the following:

- a General Assembly held every year on either a fixed date or at least a date that is chosen well in advance, and advertised widely;
- more information regarding the General Assembly's purposes;
- more opportunities for Métis people to place issues of importance to them on the agenda; and
- clear rules that are established and applied consistently to ensure that everyone's issues and voices can be heard in a positive and respectful environment.

I think the senate should not be involved in the elections at all.

The local level is going to say why do we have to follow rules and regulations when the higher up don't follow the rules and regulations. Why have we been cut off? It's not because of the locals.

We traditionally had a very good political system before white involvement, and one that was fair and went back to the very fabric of our Métis ness, the family. That was the traditional system and the family heads. You won't go wrong when you when you're speaking for your family because you have your family to be accountable for, to. Another good system, that could work, is a ward system based on population. And one that doesn't have a vested interest on empire building and could fit our current needs. The ward system could work very well at, and the locals could be turned into community groups that would service the people's social needs, the political needs will be filled by the wards separated by population both, urban and rural. This would stop empire building by certain individuals and offer a wider and more democratic voice for the Métis. What we have now is a small group of people speaking for all Métis people, when all they are is speaking for their own personal needs not the needs of the whole. We needs some rules of governance and uh, membership that will be strict and prosecute the violators. We traditionally had these rules and they were called Laws of the Buffalo Hunt.

Everybody has said it over and over transparency and accountability.

7.3.5 Operational Problems in the MNS Governance Institutions

Participants identified several problems in the operation of the provincial, regional and local MNS governance institutions. For a detailed list of those problems please see Part One of Appendices. The following sets of problems were identified:

- not operating in accordance with established rules and regulations;
- not operating in accordance with professional and ethical standards;
- not operating in an impartial and fair manner;
- insufficient knowledge regarding governance matters;
- insufficient information and communication; and
- insufficient financial and human resources.

Many participants indicated that they were concerned that the rules and regulations set out in the MNS constitution and legislation were not always followed. Many also expressed concerns that some elected and appointed officials in those institutions did not always conduct themselves in a professional or ethical manner. Related to this, many indicated that they were concerned that some elected and appointed officials were not operating in an impartial and fair manner in terms of respecting the rights of all Métis people or in dealing with various regional and local councils.

Many participants also indicated that there is insufficient knowledge among Métis people and officials regarding various aspects of those institutions. Notable areas in which there is insufficient knowledge include: the functions, regulations and decision-making processes of those institutions, and the roles and responsibilities of elected and appointed officials therein.

According to many participants, insufficient information regarding such matters makes it difficult for community members to ensure that the institutions and their officials are operating in a democratic, accountable, impartial, ethical and effective manner. Moreover, they indicated that this lack of information made it difficult for them to seek corrective action or justice, either within or outside the MNS governance system, not only for any irregularities but also for improper or illegal behaviour by any elected or appointed officials.

Those who participated also expressed concerns regarding two communication problems. The first problem involves poor communication between MNS officials and Métis people. The second problem involves insufficient communication between MNS officials at the provincial, regional and local levels. Consequently, important information is not always received by the Métis people and officials in a timely manner.

Many participants stated that whereas some of the problems in the operation of the MNS governance institutions listed above stem from insufficient human and financial resources, others stemmed from officials not devoting sufficient attention to some operational activities of the MNS governance institutions.

7.3.6 Potential Reforms to the Operations of the MNS Governance Institutions

The majority of participants advocated the following four potential reviews and reforms.

First, reviewing and reforming the operation of all MNS governance institutions at the provincial, regional and local levels to ensure that they operate according to the established rules and regulations in a democratic, accountable, ethical, impartial and fair manner.

Second, reviewing and reforming the processes by which Métis people and elected officials are able to acquire knowledge regarding important matters such as:

- the functions, rules and regulations of MNS governance institutions;
- the roles and responsibilities of various elected and appointed MNS officials; and
- the rights of Métis people within the MNS governance system.

Third, reviewing and reforming the information and communication systems of all MNS governance institutions to ensure that there is an effective two-way flow of information and communication between and among MNS governance officials at the provincial, regional and local levels, as well as the Métis people.

Fourth, reviewing and reforming the financial and human resources of the MNS governance institutions to ensure that they are operated according to the established rules and regulations in a democratic, accountable, ethical, impartial and fair manner.

7.3.7 Financial Problems in the MNS Governance Institutions

The vast majority of participants indicated that to some extent the problems in the MNS governance institutions at the provincial, regional and local levels are rooted in the insufficient level of financial resources. The prevailing view was that the MNS is a major governance institution with a large number of organizational entities at the provincial, regional and local levels that need adequate financial resources. Those who pointed to this problem noted that a lack of financial resources makes it very difficult to not only operate these institutions, but also to increase the number of qualified elected and appointed officials.

Some participants also noted that another problem is that the financial and human resources that the MNS governance institutions receive is concentrated

Eliminate the middle man we have an area director who is supposed be representing this region the presidents get their direction from the members we in turn give this information to the area director. From what I have seen the area director is supposed to be working for the presidents and it doesn't happen in this region and it hasn't in quite some time. Like I say it's a good thing we can work directly with the government. It gives up what our members need and we can do through membership meetings whatever we can give this to the government officials and say look I mean we know what the needs are and sometimes it gets lost from the president to the Area director.

Now another problem in conjunction to that and the last one I want to touch on is that what I see in the Métis Nation is a real lack of communication, when you, people don't know out there in the communities what the executives are doing. I am always interested in things that are going on in the Métis Nation. But you know I never hear about them until it's a done deal and what I am saying is could there not be some say, we are in the 21st century here as Métis people where you have a system set up. Many of us have computers or we have access to computers could we not get electronic mail, email or something that outlines uh, the political agenda, the social calendar that type of thing, for what's up coming for, for Métis people in the future. Métis are, have been recognized as, as Canada's forgotten people. Here in XXX, we can justify saying we are Saskatchewan's forgotten people because our Locals have been turned, overturned for no reason at all, um the justification for that is that we haven't had elections here via the, I guess, based on the constitution, which is untrue. There are personality conflicts that have come in the way of our leaders truly being the leaders of our community.

largely at the provincial level of the MNS and that the regional and local councils do not get the type of financial or administrative support that they need to operate. Participants added that the problem of insufficient financial and human resources has been compounded by some financial management decisions related to the allocation of available funds.

7.3.8 Potential Reforms to the Finances of the MNS Governance Institutions

Participants identified the following two potential reforms to the financial and human resource problems of the MNS governance institutions:

- increased funding from the federal and provincial governments for the MNS governance institutions at the provincial, regional and local levels; and,
- increased checks and balances within MNS governance institutions to ensure that financial resources are being used both for the purposes for which they were intended and for the collective benefit of all Métis people.

7.4 Concluding Comments

To reiterate, participants noted several problems with the MNS governance system at the provincial, regional and local levels. The problems which they identified exist in both the governance documents and the governance institutions themselves. The widespread consensus among participants was that those governance documents and institutions are faced with several challenging problems that must be addressed in a systematic manner. For that purpose, they indicated that adequate financial resources must be allocated. They added that addressing those problems effectively is essential to ensure that Métis people are well served by a governance system that operates in their collective interest in both a democratic and accountable manner.

8. Reforms to *The Métis Act*

The current Métis Act has to be repealed, the Métis Act was constructed without consultation of the Métis people.

8.1 Introduction

This section focuses on reforms to provincial legislation that has important implications for the operation of the Métis Nation of Saskatchewan Secretariat Inc. and for the governance of the Métis Nation-Saskatchewan. More specifically, it focuses on the following matters:

- the relevance of *The Métis Act* to the operation of the Métis Nation-Saskatchewan Secretariat Inc. and the governance of the Métis Nation-Saskatchewan
- potential reforms to *The Métis Act*; and
- the process for producing and implementing reforms to *The Métis Act*.

8.2 Purpose and Provisions of *The Métis Act*

The Métis Act is a provincial statute enacted by the provincial government in close consultation with the MNS leadership in 2001 for the following two major purposes:

- to establish the regulatory framework under which the Métis Nation-Saskatchewan Secretariat Inc. operates; and
- to establish a framework under which the provincial government and the Métis Nation-Saskatchewan may enter into a Memoranda of Understanding related to any matter of importance to the Métis nation in the province.

The Métis Act is a relatively short statute that does not contain many details related to the two major purposes listed above. There are at least two important parts in *The Métis Act*. The first is Part III, which outlines the bilateral process by which the Government of Saskatchewan and the Métis Nation-Saskatchewan work together. This section provides the statutory basis for coordination and cooperation between the two governments on four key matters, including governance. Part III reads as follows:

Bilateral Process

3(1) The Government of Saskatchewan and the Métis Nation-Saskatchewan will work together through a bilateral process to address issues that are important to the Métis people, including the following:

(a) capacity building;

(b) land;

(c) harvesting;

(d) governance.

(2) Where the Government of Saskatchewan and the Métis Nation-Saskatchewan consider it appropriate, they may enter into a memorandum of understanding that reflects the discussions resulting from the bilateral process mentioned in subsection (1).

The second important part of *The Métis Act* is Part IV, which is devoted to various aspects of the operation of the Métis Nation-Saskatchewan Secretariat Inc. The five most significant sections of that part for the purposes of this report are the following:

> *MNS Secretariat Inc. established*
>
> *5 (1) Métis Nation-Secretariat Inc. is established pursuant to this Act as a body corporate without share capital.*
>
> *(2) The corporation is the administrative body by which the policies and programs of the Métis Nation-Saskatchewan may be carried out and administered.*
>
> *Powers*
>
> *6 Subject to this Act, the corporation has the capacity, rights, powers and privileges of a natural person.*
>
> *Board of Directors*
>
> *7(1) The board of directors consists of those persons who are members of the Provincial Métis Council of the Métis Nation-Saskatchewan.*
>
> *(2) The board of directors shall direct and manage the activities and affairs of the corporation.*
>
> *(3) The board of directors shall formalize its decisions by resolution or bylaw.*
>
> *Special Meetings*
>
> *9(1) If a petition that requests the holding of a special meeting and that is signed by at least 250 Métis individuals of Saskatchewan is delivered to the head office of the corporation, the board of directors shall, within 60 days, hold a special meeting with the Métis people of Saskatchewan to discuss any matter stated in the petition respecting the operation of the corporation.*
>
> *(2) the board of directors shall cause a notice of the meeting mentioned in subsection (1) to be published:*
>
> *(a) at least seven days before the day of the meeting; and*
>
> *(b) in at least two newspapers having general circulation in Saskatchewan.*
>
> *Application of the Non-Profit Corporations Act*
>
> *15 (1) Any Métis individual of Saskatchewan or any creditor of the corporation may exercise the powers of a member or a security holder, as the case may be, pursuant to section 214 to 220 of* The Non-profit Corporations Act, 1995, *and those provisions apply, with any necessary modification, to the corporation and its directors, officers and employees.*
>
> *(2) For purposes of this section, any Métis individual of Saskatchewan is deemed to have the status of a member within the meaning of* The Non-profit Corporations Act, 1995.

Given the current impasse stemming from the results of the 2004 election, Section 9 is the most important of the sections noted above as it empowers Saskatchewan's Métis people to petition the MNS board of directors to hold a special meeting with regards to the operation of the corporation.

8.3 Problems with *The Métis Act*

Those who participated in the consultations noted two major problems with *The Métis Act*. The first problem is that many Métis people are unaware of its existence and/or relevance for either the operation of the Métis Nation-Saskatchewan Secretariat Inc. or the legal rights of *bona fide* MNS members. The second problem identified by those who were aware of its existence is that it is not sufficiently detailed. More specifically, it does not contain sufficient provisions to ensure that the board and members of the Métis Nation-Saskatchewan Secretariat Inc. (i.e. the members of the Provincial Métis Council) operate under adequate checks and balances.

In the current version of *The Métis Act* only two major sets of sections and subsections of *The Non-profit Corporations Act, 1995* apply to the Métis Nation-Saskatchewan Secretariat Inc. The first major set consists of subsections 148(2), 156(5) to 156(9) and sections 157 and 158, all of which deal with the auditing of that corporation. The second major set consists of sections 214 to 220, which deal with investigations related to activities and affairs of that corporation. The basis of an investigation pursuant to Section 214 is a request by a member, security holder or the Director of Saskatchewan's Business Corporations Branch, all of whom may apply to the courts for an investigation related to the following matters:

a) the activities or affairs of the corporation or any of its affiliates are or have been carried out with intent to defraud any person;

b) the activities or affairs of the corporation or any of its affiliates are or have been carried on or conducted, or the powers of the directors are or have been exercised, in a manner that is oppressive or unfairly prejudicial to or that unfairly disregards the interests of a member or security holder;

c) the corporation or any of its affiliates was formed for a fraudulent or unlawful purpose;

d) persons concerned with the formation or activities or affairs of the corporation or any of its affiliates have acted fraudulently or dishonestly.

Although those are all quite significant provisions, they are limited in two important ways. First, they do not refer explicitly to problems with a court review of elections as, for example, is provided for in Section 135 of *The Non-profit Corporations Act, 1995*. Second, insofar as elections may be covered implicitly by those provisions, the only basis for the courts to deal with electoral matters is if it can be demonstrated that they have been conducted in a way that:

- is "oppressive or unfairly prejudicial to or that unfairly disregards the interests of a member …"; or
- any officials, including election officials, have acted "fraudulently or dishonestly."

The problem with these provisions, in light of what occurred with the 2004 election, for example, is that they allow for application to the courts on the basis of "irregularities" caused by "oppressive," "prejudicial," "fraudulent," or "dishonest" behaviour. However, they do not seem to cover "irregularities" that were caused by procedural problems that did not involve that particular type of behaviour.

These types of irregularities seem to be covered in a more explicit manner in Section 135 of *The Non-profit Corporations Act, 1995*, which, as has already been noted, does not apply to the Métis Nation-Saskatchewan Secretariat Inc. under the current version of *The Métis Act*.

Section 135 of *The Non-profit Corporations Act, 1995* empowers the courts to review disputes related to elections and appointments of directors or auditors of the corporation and to make any orders to resolve such disputes:

> *135(1) A corporation or a member or director may apply to the court to determine any controversy respecting an election or the appointment of a director or an auditor of the corporation.*
>
> *(2) On application pursuant to this section, the court may make any order it considers appropriate, including:*
>
> *(a) an order restraining a director or auditor whose election or appointment is challenged from acting pending determination of the dispute;*
>
> *(b) an order declaring the result of the disputed election or appointment;*
>
> *(c) an order requiring a new election or appointment and including directions for the management of the activities and affairs of the corporation until a new election is held or appointment made;*
>
> *(d) an order determining the voting rights of members and of persons claiming to have membership interests.*

8.4 Potential Reforms to *The Métis Act*

Some participants in the community consultations suggested that careful attention should be given to potential reforms to *The Métis Act*, which are needed to establish a detailed regulatory framework for the benefit of both the Métis Nation-Saskatchewan Secretariat Inc. and all the Métis people who comprise its membership. The prevailing view was that in producing and implementing such reforms, careful attention should be devoted to all facets of the regulatory framework needed for that purpose.

8.5 Potential Process for Reviewing and Reforming *The Métis Act*

The Government of Saskatchewan, in consultation with Métis people, should establish a process to review and reform *The Métis Act*. In doing so it should consider at least the following three potential initiatives:

- First, the Government of Saskatchewan should consider directing its legal advisors to review *The Métis Act* and relevant parts of *The Non-profit Corporations Act, 1995* to determine precisely how they apply to Métis elections and governance.
- Second, the Government of Saskatchewan should consider whether it would be prudent to produce either a discussion paper or draft bill, or both, with the purpose of amending *The Métis Act*.
- Third, the Government of Saskatchewan should also consider whether to ask a committee of the provincial legislature to solicit briefs and hold public hearings on the same issue so that Métis people may express their views on any potential or proposed reforms.

8.6 Conclusion

This section of the report has highlighted three important points. First, that provincial legislation that applies to the Métis Nation is not sufficiently detailed concerning the rights of Métis people and the responsibilities of the MNS. Second, that the provincial government, in consultation with Métis people, should review the legislation to ensure that it contains provisions that serve their needs. Third, such provincial legislation is important for minimizing controversies and challenges in the future comparable to those of the recent past.

9. Processes for Moving Forward with the Next Election and Reforms

9.1 Introduction

One of the major challenges in moving forward with a new MNS election and reforms to the electoral, citizenship and governance systems is the establishment of appropriate processes. The objective in this section is to outline the general features of five suggested processes:

- reviewing and responding to the Métis Electoral Consultation Panel (MECP) Report;
- creating a Métis Elections and Reforms Commission;
- planning and administering the next MNS election;
- reviewing and reforming the MNS electoral, citizenship and governance systems; and
- reviewing and reforming *The Métis Act*.

9.2 First Process: Reviewing and Responding to the MECP Report

The first process entails Métis people and governmental stakeholders reviewing and responding to the MECP Report.

I just hope something really positive comes from this review process.

Métis people should review and respond to this report as an important first step in their efforts to formulate and implement their preferred options for reform. Accordingly, they should take every opportunity to inform each other and officials from all orders of government of their preferences.

All Métis leaders at the provincial, regional and local levels should listen very carefully to the views of the majority of Métis people in producing any responses to this report that they claim represents the views of those people. They, too, should share their views with each other and with provincial and federal officials.

The federal government should review this report and any reactions to it by Métis people. In doing so, it should consider what roles and responsibilities it will perform to assist the Métis people in reforming their electoral, citizenship and governance systems. To that end, it should consult reputable Métis people who are highly respected with the Métis community in Saskatchewan and the provincial government to find the best way for moving forward.

The provincial government should review this report and any reactions to it by the Métis people. For that purpose, it should consult with reputable Métis people who are highly respected within the Métis community in Saskatchewan for both their knowledge and integrity. Thereafter, it should consult with the federal government to consider how they may collaborate with each other to support and assist the Métis people in their efforts to conducted democratic and fair elections and also to achieve the reforms they desire within the MNS electoral, citizenship and governance systems.

Participants indicated that they looked forward to an official public response to the MECP Report by the provincial and federal governments as a means of signaling that they are truly committed to supporting the Métis people in planning and administering the next MNS election and also in initiating and implementing electoral, citizenship and governance reforms.

9.3 Second Process: Creation of a Métis Elections and Reforms Commission

The second process entails the creation of an independent and impartial commission that will perform at least two general duties:

- ensuring that the next election is conducted in a fair and democratic manner; and
- ensuring that the reviews and reforms related to the Métis electoral, citizenship and governance systems are initiated and implemented according to the wishes of the Métis people.

Who should look after the elections? I think there should be a panel or a committee voted in by Métis people. A set committee where they are totally, where they have absolutely nothing to gain, where they will be fair. That's the only way I see it working.

The establishment of such an independent and impartial commission was strongly advocated by the vast majority of those who participated in the consultation process. They repeated with considerable frequency their support for the creation of such a commission based on their belief that this was an essential mechanism that could provide a means to help the Métis people move beyond the current electoral, political and constitutional impasse. Their views on this matter are quite evident in some of the appendices to this report.

We need something impartial, with the knowledge and all the training.

9.3.1 Composition and Appointment of the Commission

The proposed commission would consist of approximately three to seven highly knowledgeable, competent and respected individuals who could be trusted to act in an independent and impartial manner and with the interests of the Métis nation uppermost in their minds. One commission member would serve as the chair for the commission as a whole and possibly also for some or all of the commission's sub-committees. The majority of those who participated in the consultations felt strongly that the commission should consist of Métis and non-Métis persons who possess the knowledge, skills and experience of electoral and governance systems and a good working knowledge of Métis culture and history.

This process will respect the will of all Métis people.

There are some good, credible Métis people that could be a part of this.

The majority of those who participated in the community consultations indicated that initially the principal responsibility for identifying and appointing the commissioners should rest with Métis people, in partnership with the provincial and federal governments. Some also indicated that after a democratic and fair MNS election is conducted, the commission, in consultation with Métis people and the federal and provincial governments, should

Give the power back to the grassroots people.

consider the merits of involving MNS representatives in future decisions related to the following aspects of the proposed commission: its retention, its functions, its composition, and the appointment of its members. The vast majority of those who participated, however, indicated that any role by future MNS representatives related to such a commission should be contingent on two criteria:

- they have been elected in a democratic and fair election; and
- they are commitment to initiating, implementing, and sustaining reforms that Métis people want.

Someone needs to partner with the MNS and walk with the MNS for awhile, until the MNS has grown enough to do things properly themselves. Right now, I don't see that they have the interests of the Métis people at heart.

9.3.2 Functions of the Commission

The proposed commission could perform various functions or roles in relations to any one or more of the following important tasks:

- producing a general plan and process by which Métis people and representatives of the federal and provincial governments can consider how to move forward;
- producing and implementing a plan for conducting the next MNS election;
- producing a plan for reviewing and reforming the MNS electoral, citizenship and governance systems; and
- producing a plan both for promoting awareness among Métis people regarding any proposed elections or reforms and for ensuring that they can express their views on such matters;
- Producing a plan for securing federal and provincial funding for the MNS and establishing the terms and conditions for future MNS funding from those governments based on the following two major factors:
- progress in planning and administering the next MNS election in a fair and democratic manner; and
- progress in developing, implementing and sustaining reforms to the MNS electoral, citizenship and governance systems.
- producing a plan for reviewing and reforming *The Métis Act;*

The types of functions or roles that the proposed Métis Elections and Reforms Commission could perform in relation to each of the major tasks listed above include, for example:

- an advisory role;
- a coordinating role;
- a facilitator role;
- a mediation role; and
- a monitoring role.

Naturally, the function(s) that the proposed Métis Elections and Reforms Commission may perform at any given point in time would be contingent on a range of factors, but especially the following: (a) first, and foremost, the preferences of a majority of the Métis people; (b) second, the political will of the various governmental stakeholders; and (c) third, any regulatory or legal constraints. The negotiations regarding the precise functions of this commission in relation to the next Métis election and various reforms are of utmost importance for progress. Special care must be taken to ensure that the right functions are identified and that the right people are selected to perform them.

In performing the functions and roles listed above, the proposed commission should consider whether it needs the assistance of additional impartial, highly trained and respected individuals both inside and outside the Métis Nation.

9.3.3 Timeframe for the Commission

Take whatever time it takes, but do it right.

The initial appointment for the commission could be for at least three years. Its continuance thereafter, either with the same or a different set of functions, could be a matter for negotiations between MNS officials who are elected in a democratic and fair election and the appropriate federal and provincial government officials. This timeframe would allow the commission to perform some valuable functions related to the following three matters: the next MNS election; establishing the initial processes for reforms to the Métis electoral, citizenship and governance systems; and the review and reform of *The Métis Act*.

9.3.4 Funding for the Commission

The vast majority of participants recognized that funding for such a commission would have to be provided by the provincial and federal governments through a special fund designated exclusively for this purpose. Most believed that precautions should be taken to ensure that resources are adequate and that they are used only for the specified purposes.

9.4 Third Process: Planning and Administration of the Next MNS Election

We want a new election, a fair election.

All I can really speak about is at the local level, just trying to be counted and to have my voice heard, to exercise my right to vote. I'm a Métis person. I should have been able to vote and I was not. And I still have never received an explanation how I was removed from that list, why I was removed from that list, who authorized my removal?

The third process would entail the planning and administration of the next MNS election. Those who participated in the community consultations want the next MNS election to be held as soon as it can be done in a fair and democratic manner. For that purpose, they suggested a process whereby independent and impartial persons would be responsible for planning and administering various aspects of the next election. Their preference was that the lead responsibility for ensuring that the planning and administration of the next election is done appropriately should rest with the proposed Métis Elections and Reforms Commission. Such responsibility would include contracting a reputable individual to perform the duties of the Chief Electoral Officer who, in turn, could either hire staff or contract any reputable firm(s) to perform two general tasks:

- prepare an updated and valid voters list; and
- administer various aspects of the next election that occur prior to, during and after the day of the election.

The majority of participants suggested that the costs for administering the next election should be borne by the provincial and federal governments through a transfer of funds to the Métis Elections and Reforms Commission, who would be fully accountable for the monies received.

9.5 Fourth Process: Reforming MNS Electoral, Citizenship and Governance Systems

The fourth process entails reviewing and reforming the MNS electoral, citizenship and governance systems. Each of those reforms could be facilitated, coordinated, mediated or monitored by sub-committees of the Métis Elections and Reforms Commission in partnership with MNS representatives who have been elected in a fair and democratic manner. At least three sub-committees would be necessary to oversee each component of the reform agenda (i.e. elections, citizenship and governance). To that end, several tasks must be performed. Before describing these tasks, it is important to note that a majority of participants suggested that the commission should be retained even after a fair and democratic election has taken place in order to advance various parts of the reform agenda.

Given that the electoral, citizenship and political systems are interrelated, reforms to all three systems should be undertaken at approximately the same time. Given the strong and widespread desire to produce and implement reforms as soon as possible, consideration should be given to establishing an expedited reform process consisting of the following three stages:

Stage1. Produce a separate plan for reforming each of the MNS electoral, citizenship and governance systems.

Stage 2. From these three separate plans, produce one integrated plan for reforming the MNS electoral, citizenship and governance systems.

Stage 3. Present to the Métis people the integrated plan for reforming the MNS electoral, citizenship and governance systems.

The first stage would consist of producing three separate reform plans for the electoral, citizenship and governance systems. For that purpose, the proposed commission should establish three small working groups consisting of specialists drawn from inside and outside the Métis community. In producing a reform plan, each working group would be directed to take into account the recommendations of the Poitras, Lampard and Métis Electoral Consultation Panel Reports as applicable. Participants made it very clear that there are Métis and non-Métis people in Saskatchewan who are knowledgeable of both the MNS and other governance systems, and who could make a valuable contribution to these working groups.

I believe that there are strong people in all parts of this province, in the Métis community and I believe that there are a pool of experience and education and training all over the place. I don't believe we would have a problem getting honest people with integrity.

The second stage would consist of producing a single integrated reform action plan. After the first three working groups have produced their respective reports, another working group, including newly elected MNS representatives, should be established to integrate the recommendations contained in each of those reports into a single coherent reform action plan.

The third stage would consist of presenting the proposed integrated reform action plan to the Métis people for review and ratification. The Panel was repeatedly told that while external assistance is required, any proposed reforms must be reviewed and ratified by the Métis people themselves through legitimate means such as a province-wide general assembly, a series of regional general assemblies, or a referendum.

All three stages can be accomplished within a few months, rather than a few years, if everyone makes a commitment to work collaboratively in the interest of the Métis people.

The Métis people must be involved in all the reforms.

9.6 Fifth Process: Reviewing and Reforming Provincial Legislation

The fifth process entails reviewing and reforming the provincial legislation that applies to the MNS governance system. As noted in Section 8 of this report, the provincial legislative basis for the MNS and the Métis Nation-Saskatchewan Secretariat Inc. is *The Métis Act* and a very limited number of sections in *The Non-profit Corporations Act, 1995*. Some participants noted that the current configuration of the statutory framework is inadequate to deal with an organization as large as the MNS and the Métis Nation-Saskatchewan Secretariat Inc., which have thousands of members and perform a multiplicity of functions. Some participants noted that the current version of *The Métis Act* is much too brief to be useful in providing all the principles and parameters within which the MNS should conduct its business.

9.7 Conclusion

This section has outlined five reform processes that must be coordinated and completed in the near future so that the Métis people can enjoy an enhanced degree of democracy and self-governance. Notwithstanding what appears to be a chronological sequencing above, any or all of these reform processes could be launched at the same time, rather than one after another. The precise sequencing of these reform processes is something that should be considered by all who will be proactively involved in formulating and implementing the reform agenda. For anything to happen, however, there must be a legitimate champion of reform and a legitimate agency for coordinating the initiation, formulation and implementation of reform. For the foreseeable future, that champion consists of a critical mass of Métis people who care deeply about the Métis Nation and its electoral, citizenship and governance systems; and that agency consists of the proposed Métis Elections and Reforms Commission. This is certainly what the vast majority of those who participated in the consultations communicated, either explicitly or implicitly, both to each other and to the Métis Electoral Consultation Panel.

10. Desire for Reforms and Consequences of No Reforms

10.1 Introduction

Two key points made throughout this report are summarized and emphasized in this concluding section. The first point is that there is a strong desire for reforms to the MNS electoral, citizenship and governance systems. The second point is that there is a strong belief that if reforms are not initiated and implemented, there will be serious consequences for the Métis people in Saskatchewan and Canada, as well as for various orders of government, including the MNS, the Métis National Council and the provincial and the federal governments.

10.2 Desire for Reforms

10.2.1 Desire for Substantial and Sustainable Reforms

Throughout the community consultations, participants demanded reforms to their electoral, citizenship and governance systems. This demand was made by an overwhelming majority of those who participated, through both oral and written submissions. The general impression was that things have become progressively worse over the course of the last three elections. Indeed, the prevailing view was that unless major reforms are implemented, confidence in the MNS as a representative or viable governance structure for Métis people in this province would continue to erode. There was overwhelming agreement that the electoral, citizenship and governance systems must be reformed thoroughly for the benefit of the MNS and Métis people.

Participants sent a strong message that there was an immediate need both for another election and also for reforms to the MNS election, citizenship and governance systems so that Métis people could benefit from current and future programs and funding. However, there was a clear understanding that neither the next election nor the reforms should not be rushed because minor reforms, hastily implemented, would not provide any lasting solutions. While there was widespread dissatisfaction with the existing election, citizenship and governance systems, there was a strong belief that reforms should be considered very carefully. The consensus was that those who would produce the reforms should be building on the positive elements of the current systems, eliminating problematic elements and incorporating new elements that will address the needs and desires of the Métis people in the 21st century.

10.2.2 Desire for Productive Processes for Achieving Reforms

The Panel received many detailed suggestions for reforming the MNS electoral, citizenship and governance systems. The essence of those suggestions was that reforms should be achieved through productive processes that are conducted in a thorough, progressive and constructive manner. Many participants repeatedly expressed concern that none of the reform processes would produce the needed or desired reforms. Those participants indicated that they were tired of reform processes that do not produce tangible and lasting results. They observed that limited attempts to deal with Métis elections, citizenship and governance system problems were made in the past, but no real changes or reforms occurred. In making this point, many referred to the Poitras Report of 2001 and the more recent Lampard Report of 2004, which were prepared by very competent and credible people. However, no concrete changes were made. The participants overwhelmingly demanded that action be taken to reform the election, citizenship and governance systems. Many feared that this Panel's report, based on the community consultations, would also not produce any reforms. With this in mind, they implored the Panel and all those who will be working to initiate and implement reforms to ensure that important and lasting reforms are produced. To initiate the reform processes, they suggested that the federal and provincial governments, in consultation with the Métis people, should create an independent and impartial commission that would be responsible for proposing ways to expedite the initiation and implementation of reforms. To ensure that such processes produce reforms that are consistent with the wishes of Métis people, there should be:

- transparency, so that everyone can see what is being reformed and how;
- checks and balances, so that no one can impose or dominate the reform agenda;
- respect for the opinions of all Métis people; and
- accountability to the Métis people.

10.3 Consequences of No Reforms

Inaction and protracted delays in reforming the MNS electoral, citizenship and governance systems could have negative consequences for Métis people in Saskatchewan, the MNS, the Métis National Council, the Saskatchewan provincial government and the federal government. Each consequence is discussed below.

10.3.1 Consequences for Métis People in Saskatchewan

The consequences of no reforms for the Métis people in Saskatchewan, both individually and collectively, are significant. The effective operation of electoral, citizenship and governance systems is very important for ensuring that the rights of Métis people are advanced and their needs and preferences are met. Individually and collectively, many Métis people rely on the MNS and its affiliates to work on their behalf for various Métis rights, programs and services. For this to continue in the future, a credible representative political voice is absolutely essential. Without a strong political voice, the position of Métis people in negotiating rights, programs and services with the federal and provincial governments is severely weakened.

A notable example of such adverse consequences is that Saskatchewan's Métis people have not been able to receive some federal monies targeted for them to deal with issues relating to rights. This is money that the federal government, as a result of the Supreme Court decision in the Powley case, has been transferring to provincial Métis organizations in other provinces to examine various issues related to Métis rights. During the past year, the federal government has provided millions of dollars in resources to Métis organizations across Canada, which they need to advance their respective rights. With the current state of uncertainty in Saskatchewan, however, to date these resources have not been transferred to the MNS. Consequently, the Métis in Saskatchewan are being left out of a significant process to address their rights in this province.

10.3.2 Consequences for the Métis Nation-Saskatchewan

The majority of participants also indicated that if the MNS does not initiate and implement reforms to its electoral, citizenship and governance systems, it will face serious consequences. The most significant consequence would be a loss of confidence and legitimacy among Métis people. They indicated that such confidence and legitimacy is absolutely essential for the MNS to survive as a viable political governance structure. The consensus among participants was that in the absence of reforms designed to enhance such confidence and legitimacy, the MNS would become increasingly irrelevant to most Métis. They added that levels of dissatisfaction with the MNS are extremely high, and there were clear indications among some participants that alternative Métis political organizations would likely emerge should reform not be forthcoming.

These views were shared by Métis youth. They indicated they have been "turned off" by the current state of affairs, and want leadership that is honourable, honest and worthy of emulation. Without reform, they will continue to be alienated. This state of affairs seriously restricts the development of future Métis leadership. The youth shared the view of older participants that their preference is for reforms to the MNS, but that if those do not occur in the very near future, they, along with others, were quite prepared to consider other governance options for Métis people in Saskatchewan.

10.3.3 Consequences for the Métis National Council

Participants also indicated that the problems faced by the MNS could also have important implications for the Métis National Council (MNC). They maintained that the national voice of the Métis nation would be significantly weakened if one of the major Métis provincial organizations attempts to operate without the full support of its own members. The absence of a truly representative and legitimate voice from Saskatchewan at the national level would create a significant void in collective national efforts to advance the interests of Métis people. Participants recognized that the MNC has a major stake in what happens to the MNS, and for that reason it should encourage constructive reforms to the MNS electoral, citizenship and governance systems.

10.3.4 Consequences for the Provincial and Federal Governments

Another important point made by participants was that if reforms to the MNS electoral, citizenship and governance systems are not initiated and implemented in the near future, it will also likely have serious consequences for the provincial and federal governments.

One such consequence was that they run the risk of not having a legitimate Métis organization with which they can negotiate issues related to Métis rights, programs and services. Another consequence is that they run the risk of losing the confidence of Métis people themselves. The good will of Métis people is important for the provincial and federal governments to negotiate Métis rights, programs and services. It is also important for the achievement of many broader provincial and national development objectives conducted in partnership with the Métis people.

Throughout the community consultations, participants expressed concerns that the provincial and federal governments do not care about their rights, needs and preferences. They indicated that those governments have not provided sufficient resources to help address the real issues that affect the Métis. Many participants indicated that they expected the provincial and federal governments to ensure that such resources are provided and that they are used appropriately and effectively to initiate and implement reforms to the MNS electoral, citizenship and governance systems. They added that those governments must also ensure that sufficient resources are available to operate the electoral, citizenship and governance systems after they have been reformed.

10.4 Conclusion

In summary, the majority of the participants indicated that they, as well as many others in their communities, shared a strong desire for another MNS election and also for reforms to the MNS electoral, citizenship and governance systems in the very near future. They indicated that this is not an option, but a necessity. They added that to ensure that this occurs the provincial and federal governments, in partnership with the Métis people, must take a proactive role in establishing and funding independent and impartial mechanisms and processes for both:

- conducting the next election in a fair and democratic manner; and
- facilitating reforms to the MNS electoral, citizenship and governance systems.

The consensus was that such an election and reforms, reflecting the preference of Métis people, are absolutely essential for democratic, accountable and responsible Métis governance. Moreover, the consensus was that this is vital for the Métis people to fully exercise their rights and accomplish their goals in the 21^{st} century.

Appendix 1.1: Métis Electoral Consultation Panel Newsletter

Newsletter

February 2005

Métis Electoral Consultation Panel to consult Métis communities

LETTER FROM THE PANEL CHAIR

Dear Métis People of Saskatchewan:

Most of you are aware by now that the Provincial Government has appointed myself and five other people to sit as members on the Métis Electoral Consultation Panel which will be traveling throughout Saskatchewan beginning in La Ronge on February 11, 2005.

Our appointment in Dec. 2004 followed Minister Sonntag's acceptance of the Lampard Report which found many irregularities in the voter's lists and at polling stations during the Metis Nation - Saskatchewan May 2004 election. The report concluded that the Métis Nation election had "been neither fair nor democratic."

Our mandate as a consultation panel is to consult with you on the present electoral system and canvass your ideas on democratic and electoral reform. The Métis Electoral Consultation Panel will provide a forum for you to speak, to tell us what you believe needs to be done to make Métis elections democratic and fair and, how you believe this can be achieved. We will listen and record what you have to say and in early April when the hearings are done we will submit a public report to the government on our findings. A public report means that it will also be available to you.

If you do not wish to attend a public meeting, please call our toll-free number 1-866-966-2199 and arrange for us to meet with you privately while we are in your area. You may also write us a letter outlining your views and giving us your recommendations, which will be included with our findings. If you wish to speak to us in Cree or Michif, Joe Daigneault and myself are Cree Michif speakers. On behalf of the Panel members, I look forward to meeting with you in the very near future. Please call us if you have questions.

Respectfully,
Maria Campbell, Chair
Métis Electoral Consultation Panel

MANDATE

Taking into account the recommendations of the Lampard Report the Mandate of 'The Métis Electoral Consultation Panel' is to consult with the Métis people of Saskatchewan on their present electoral system, and canvass their ideas on democratic and electoral reform. The consultation is to consist of: public meetings, focus groups, a questionnaire survey, as well as written, online and telephone submission from Métis people. The panel is to analyze this information and compile a public report on their findings. The report will provide the Minister of First Nations and Métis Relations with suggestions and guidance in assisting the Métis people of Saskatchewan with their future elections.

MEET THE MÉTIS ELECTORAL CONSULTATION PANELISTS

MARIA CAMPBELL, PANEL CHAIR

Maria Campbell is a writer, playwright and filmmaker. She is also a professor in the Departments of English and Native Studies at the University of Saskatchewan. Maria has worked as a volunteer with women and children in crisis for over forty years. She is the recipient of three honourary doctorates and a National Aboriginal Achievement Award. She lives at Batoche and is a Cree Michif speaker.

JOE DAIGNEAULT

Joe Daigneault lives in the Northern Village of Beauval and is employed as the Regional Director of Northlands College Western region. Joe is well known in the north through his involvement in a number of organizations and because he served as mayor of the Northern Village of Beauval for four terms of office. Joe speaks Michif Cree and is a graduate of NORTEP and the University of Saskatchewan. Mr. Daigneault is Métis.

RON RIVARD

Ron Rivard lives in Saskatoon and is currently a private business owner. He has expertise as a management and research consultant in Aboriginal business, and economic development. From 1983 to 1993, he served as the Executive Director of the Métis National Council in Ottawa and currently co-chairs the Clarence Campeau Development Fund. In 2004, Ron co-authored *The History of the Métis of Willow Bunch* with Doctor Catherine Littlejohn. Mr. Rivard is Métis.

DONNA HEIMBECKER

Donna Heimbecker is the co-founder and current General Manager of the Saskatchewan Native Theatre Company. She is committed to articulating and instilling self-esteem and pride in youth and others through traditional and contemporary storytelling on Métis and First Nation's culture and history. Ms. Heimbecker is Métis.

ROGER MAAKA

Roger Maaka is the Head of the Department of Native Studies at the University of Saskatchewan. Doctor Maaka is from New Zealand and has considerable experience in cross-cultural, community consultations. He co-chaired the 2004 Metis National Council Métis Rights Conference in Edmonton, Alberta, and is also working with Métis people on social research projects in the Ile a la Crosse area. Professor Maaka is Maori.

JOE GARCEA

Joe Garcea is an Associate Professor in the Department of Political Studies at the University of Saskatchewan. He served as Chair and Director of Research and Analysis for the Saskatchewan Task Force on Municipal Legislative Renewal and as a member of Saskatoon's Ward Commission. He has edited and contributed to books on urban reserves and municipal governance in Canada. Professor Garcea is non-Aboriginal.

QUESTIONS & ANSWERS

Q **Who can participate?**

A All Métis people of Saskatchewan, provided they are over the age of 16 and eligible to vote.

Q **Do I have to be a member of the Metis Nation - Saskatchewan?**

A No, but you must be Métis.

Q **How do I participate?**

A First, try to attend one of the meetings being held in, or near your community. At the meetings you can speak to the panel and you can also take the time to fill out a questionnaire. Questionnaires can be returned at the meeting or mailed to our office.

Q **What if I can't attend a meeting?**

A If you can't attend a meeting but would like to participate, please call toll-free number 1-866-966-2199 to make other arrangements or visit our website at www.metisconsultations.ca.

Q **Can I speak if I am the President of a Métis Local or a member of the Métis Nation - Saskatchewan government?**

A Yes, ALL Métis people are invited to make their voices heard.

Q **Can I receive a copy of the report?**

A Yes, it will be a public report.

QUESTIONS TO THINK ABOUT BEFORE THE MEETINGS

1. Should the Métis electoral system be reformed for future elections? Why or why not?
2. What reforms to the Métis electoral system do you favour?
3. What process for reforming the Metis electoral system do you favour? Who should be involved and how should they be involved?
4. Should an independent and neutral election agency be created to administer Métis elections?
5. Should an independent and neutral election agency be created to resolve disputes arising during the course of Métis elections?
6. How should the Chief Métis Electoral Officer be selected and/or appointed?
7. Should all election officials involved in administering the Métis elections be independent without any political roles or ties?
8. What voting method is likely to maximize participation and minimize problems in Metis elections?

MÉTIS ELECTORAL CONSULTATION PUBLIC MEETING SCHEDULE

Date	Location	Time	Meeting Location
February 11, 2005	La Ronge	7pm to 9pm	Kikinahk Friendship Centre
February 12, 2005	Prince Albert	1pm to 3pm	Marlboro Inn
February 17, 2005	Saskatoon	7pm to 9pm	Quality Inn
February 20, 2005	Duck Lake	1pm to 3pm	Tawow Hall
February 25, 2005	Moose Jaw	7pm to 9pm	Royal Canadian Legion
February 26, 2005	Assiniboia	1pm to 3pm	Royal Canadian Legion
March 9, 2005	Archerwill	1pm to 3pm	Josephine Campeau Training Centre
March 10, 2005	Nipawin	7pm to 9pm	Kingfisher Inn
March 11, 2005	Cumberland House	7pm to 9pm	Northern Village Hall
March 12, 2005	Melfort	1pm to 3pm	Travelodge
March 17, 2005	Regina	7pm to 9pm	St. Mary's Hall
March 18, 2005	Fort Qu'Appelle	7pm to 9pm	County Squire Inn
March 19, 2005	Yorkton	1pm to 3pm	Holiday Inn
March 29, 2005	Biggar	7pm to 9pm	Biggar Community Hall
April 1, 2005	North Battleford	7pm to 9pm	Royal Canadian Legion #70
April 2, 2005	Lloydminster	1pm to 3pm	Friendship Centre
April 7, 2005	Pinehouse	1pm to 3pm	TBA
April 7, 2005	Beauval	7pm to 9pm	Beauval Arena Mezzanine
April 8, 2005	Ile a la Crosse	1pm to 3pm	Ile a la Crosse Friendship Centre
April 8, 2005	Buffalo Narrows	7pm to 9pm	Buffalo Narrows Complex
April 9, 2005	La Loche	1pm to 3pm	La Loche Community Hall
April 10, 2005	Meadow Lake	1pm to 3pm	TBA
April 10, 2005	Green Lake	7pm to 9pm	Community Centre
April 11, 2005	Debden	1pm to 3pm	Community Centre

FOR MORE INFORMATION CONTACT:

Métis Electoral Consultation Panel

134 McLean Hall
University of Saskatchewan
106 Wiggins Road, Saskatoon, SK

Telephone: Toll Free 1-866-966-2199
Fax: (306) 966-6242
Email: metisconsultations@sasktel.net
Website: www.metisconsultations.ca

Thank you for your participation

Appendix 1.2: Summary of Opinions from Questionnaires

Métis Electoral Consultation Panel Questionnaire

GENERAL QUESTIONS

Are you Métis? Yes No

What is your Local? ________________

1. Should the Métis electoral system be reformed for future elections? Why or Why not?

- Yes, all Métis must be recognized and be allowed a voice. We need to be better educated on the processes in order to better understand.
- Yes, the elections must be overseen to stop illegal activity from continuing.
- Yes, because my deceased relatives voted. This is not right.
- I believe the *Métis Elections Act* needs revisions because it is too easy to manipulate and fix the election.
- Yes, we need to ensure democratic fairness and that people are honestly elected. We need accountability.
- Yes, because we are tired of looking bad to the public. We need to improve our image and reputation. A fixed election *does not* represent the true wishes and concerns of the Métis people
- Yes, the current election process has no credibility with the rest of the province. It is a shame that our nation continues to elect individuals who have no commitment to making changes for our grandchildren.
- Yes, because we can no longer trust our Métis leaders. This past election has put the Métis Nation back thirty years and has reduced the Métis people to hang our heads in shame of our leaders.
- No, we do not need reform. The Métis should be able to govern themselves and take care of their own election.

2. What reforms to the Métis election system do you favour?

- Need a comprehensive registry and voter list that is regularly updated and maintained.
- Need training and guidance for the future.
- More accountability for the membership.

- Better advertising of elections and electoral events.
- Need to eliminate the Senate or use the Senate for the appeal process, not to run the elections.
- An independent third party should run the election. Use similar rules as provincial or municipal elections.
- We need to insist on a re-election and a fair election process.
- An information package on all candidates should be mailed out to Métis people.
- Elections should be run by responsible and impartial people, not by candidates or their family or close friends. No politicians should be involved.

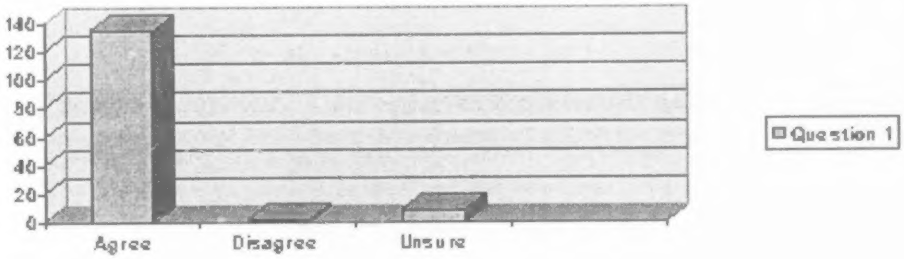
3. What process for reforming the Métis electoral system do you favour? Who should be involved and how should they be involved?

- Public consultations are a good first step. All Métis people should be involved.
- A neutral governing body given direction by grassroots people.
- Our political system is in such a state of ill repute that it is necessary for external neutral assistance.
- An independent agency that is recognized for its integrity and honesty.
- There should be Métis people involved from all areas. They need to understand the legal aspects.
- An independent election committee that is not associated with the current MNS executive.
- The Métis public should be involved at a general assembly, and should decide and vote on the best and most impartial proposal.
- The provincial government should be involved at least in the short term.
- Our people need to be part of the electoral process.
- People with criminal records should not be involved.
- The grassroots people should have more say in the election process.
- No friends or relatives of candidates should be allowed to give out or count ballots.

SPECIFIC QUESTIONS

A. ELECTION OFFICIALS

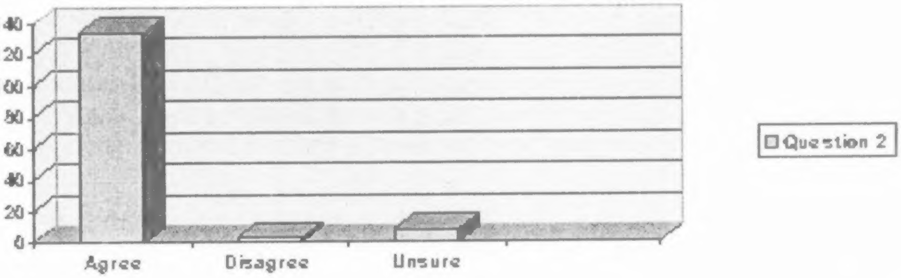
1. An independent and neutral Métis election agency should be created to administer Métis elections.



Comments:

- people involved need to be fair and honest
- an election agency should be a minimum requirement, it should not be high cost
- people running the election should remain neutral and unbiased
- use an election agency for the first three elections and train Métis people to take over
- we must run our own affairs

2. An independent and neutral Métis election agency should be created to resolve disputes arising during the course of Métis elections.

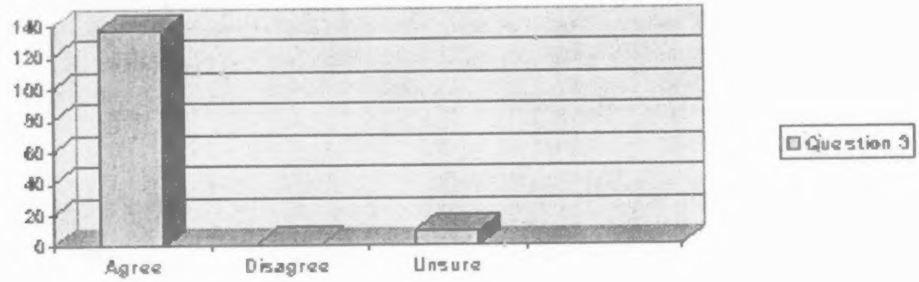


Comments:

- candidates should stay away from polling stations during the elections—this would prevent suspicion and scandal

- as long as it has nothing to do with the MNS or appointments by the MNS
- the agency should have nothing to gain or nothing to lose
- should be incorporated into the current Elections Act
- it needs to be appointed by government
- the grassroots Métis people should determine the selection process

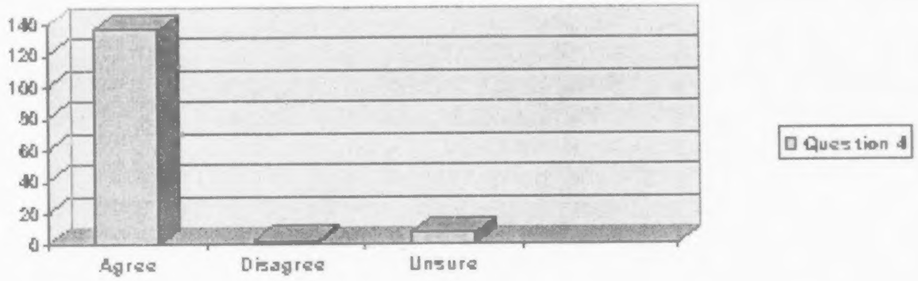
3. The appointment of the chief Métis electoral officer for an independent and neutral Métis election agency should be based on the recommendations of an impartial non-political panel that is accepted by the Métis community.



Comments:

- it may be difficult to find people who are completely non-political
- should be a term or contract position that is advertised
- person should be selected at a general meeting of all Métis citizens
- selected at an annual assembly
- needs to be impartial and accepted by the Métis people as well as by the province
- candidates need to have their credibility checked
- they should have no major infractions

4. All election officials involved in administering the Métis elections should be independent and neutral without any political roles or ties.

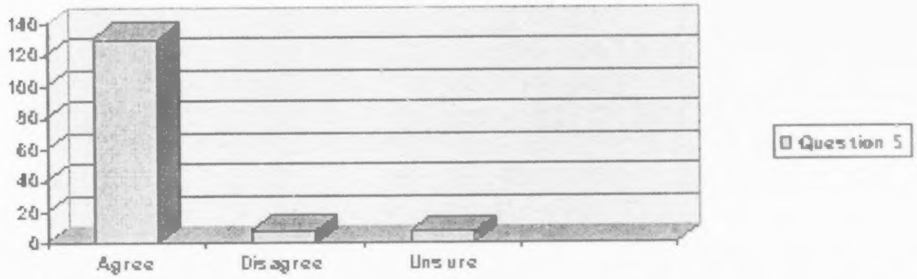


Comments:

- may be difficult to find someone without any political ties
- the Senate should not be involved, they are too political
- poll clerks and DRO's should be properly trained
- provincial or federal government should be involved
- Métis Nation should remain impartial so the elections are fair

B. REVIEW ELIGIBIlITY OF CANDIDATES & VOTERS

5. At least one month prior to election day, an independent and neutral Métis election agency should review the eligibility of each registered candidate to run in the election.

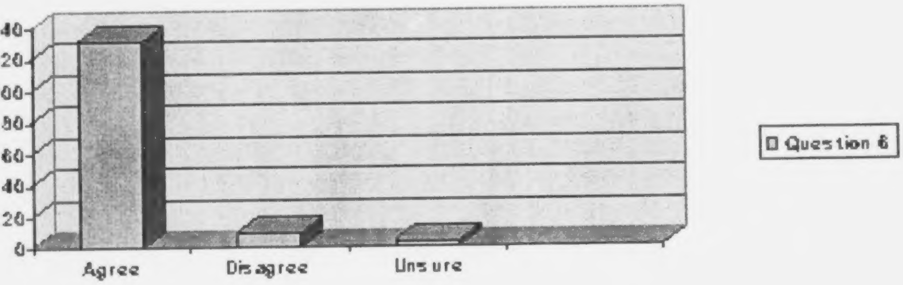


Comments:

- the provincial government should have records for each candidate

- criminal checks should be mandatory for every candidate; if there are previous charges they should be excluded from seeking office
- why should this agency do this? This is the role of the communities and the Locals

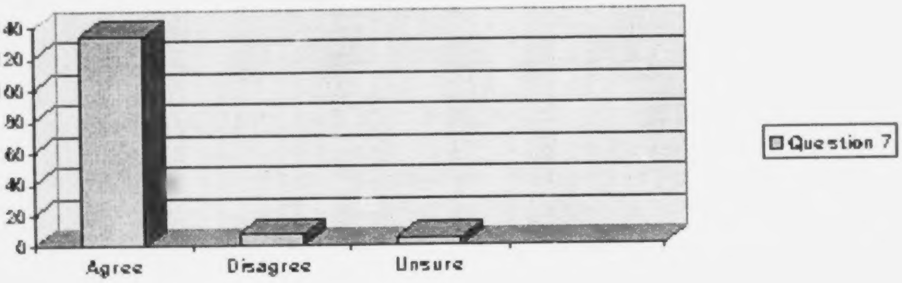
6. At least one month prior to election day, an independent and neutral Métis elections agency should review the officials voter list to ensure that it is updated and that everyone on the list is eligible to vote.



Comments:

- citizenship and electoral lists should be updated on a regular basis; this is crucial to the process
- should be able to self-declare if individuals are not on the list
- people who have passed away should *not* be on the lists
- the voter list should be posted and a process be put in place for Métis people to have their names added to the list

7. A special independent and neutral Métis elections appeal panel should be established to hear appeals from Métis citizens regarding their eligibility to be candidates and/or vote.



Comments:

- it should be up to the Métis community

- the MNS Senate should not be involved
- an independent agency should be involved for a short time

C. NOTIFICATION REGARDING ELIGIBILITY TO VOTE & ELECTIONS

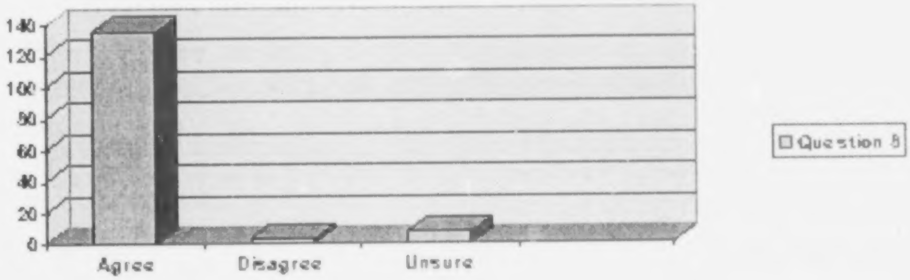
8. Métis citizens should be notified by an independent and neutral agency at least one month prior to an election regarding the following matters:

a) Their eligibility to vote

b) The date of the election

c) The place to vote

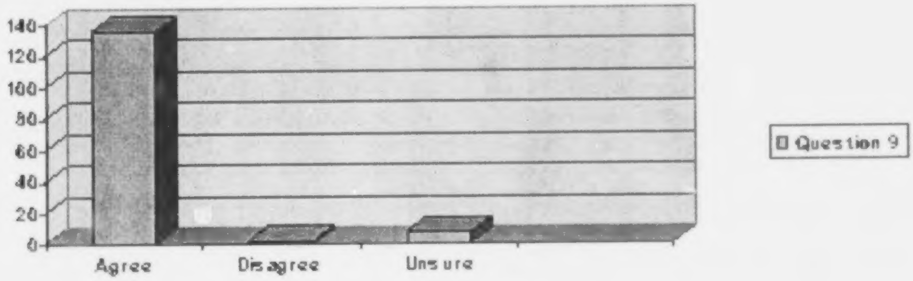
d) The voting method (e.g. in person or by mail)



Comments:

- one month is not long enough
- onus should be on voters to call and see if they are eligible
- should have advance polls, but should not have mail-in ballots; if Métis people care enough, they will show up to vote
- many Métis people were unable to vote in the last election because their Locals are inactive and they could not go to another Local

9. Métis citizens who are not notified regarding the matters noted in the previous question should be able to contact the independent and neutral agency to find out why they were not notified, and to obtain appropriate notification.

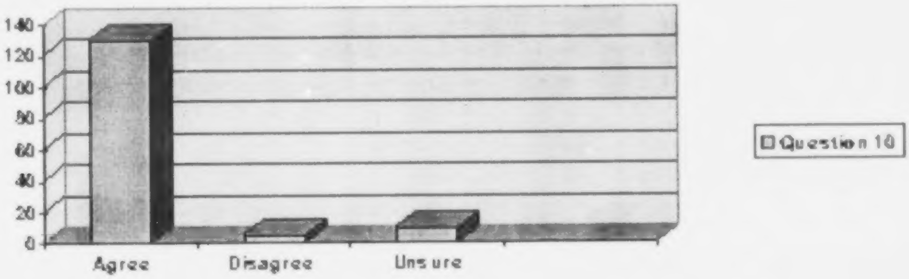


Comments:

- all Métis people should have a chance to vote
- Métis people should be able to receive answers to their questions

D. LOCAL ELECTIONS & REGISTRY OF MÉTIS LOCALS

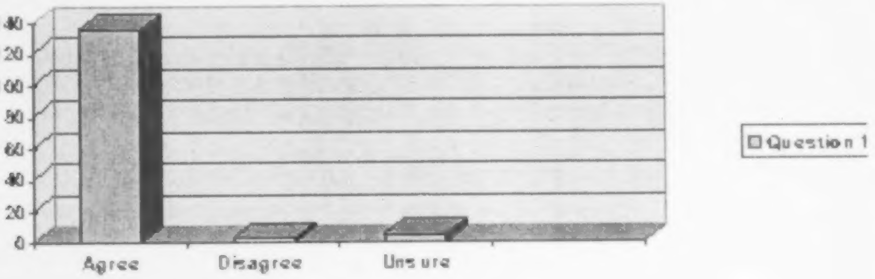
10. An independent and neutral Métis elections agency should provide advice/assistance to Métis Locals in conducting local elections.



Comments:

- only until MNS gains credibility within its own membership
- how would they be chosen?
- elections need to be better advertised
- Local elections should be held at the same time as provincial MNS elections
- some Locals do not have regular meetings
- many Locals are run by single families—this is not fair
- a capacity building process needs to be put in place to empower Métis people to conduct their own legitimate and legal elections in the future

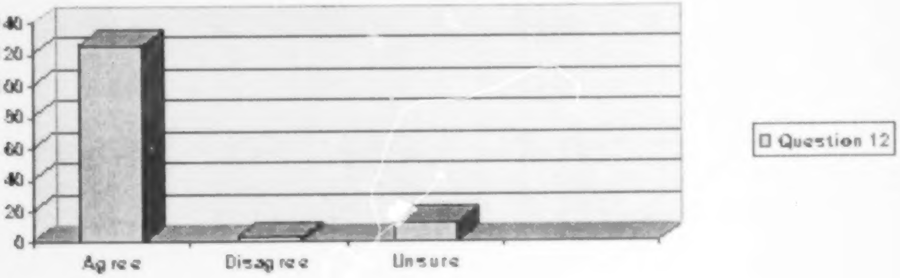
11. An independent and neutral Métis election agency should establish and maintain an official registry that lists Métis Locals, their executive officers and their members.



Comments:

- people need to be kept more informed of changes
- can this be on the internet?
- there should only be one Local per community; structure should be similar to municipal governments
- should have an official registry at more than one location
- registration through Saskatchewan Hospitalization cards

12. Clear and easily enforceable guidelines and procedures should be adopted for the creation, registration, and dissolution of Métis Locals and also for the election of their officers.



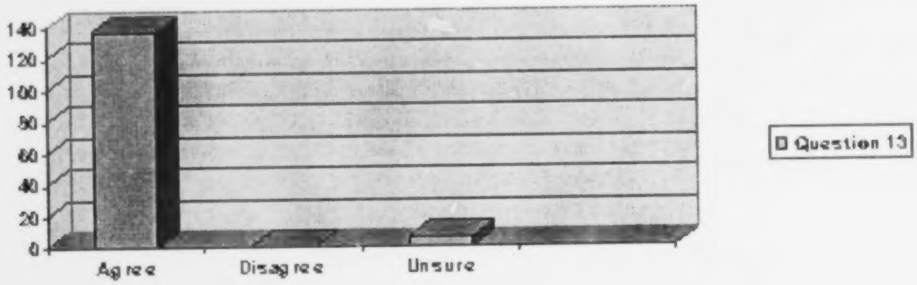
Comments:

- must be transparent and consistently and fairly applied
- the constitution needs to be reformed and possibly rewritten by knowledgeable and educated people
- freedom of speech is very important; no one person should be deleted just because of a "personal difference"

- a Local should have sufficient membership, be actively involved and hold regular meetings; they should have to keep sufficient records and submit audited financial statements

E. MÉTIS COMMUNITY INVOVLEMENT IN ELECTORAL REFORM

13. Members of the Métis community should be informed of any proposals for reforming the Métis electoral system, and they should have an opportunity to express their views of such proposals before they are implemented.



Comments:

- how would this be delivered?
- we live in a democratic society and each person has the right to know how our elected officials gain their right to lead us
- communication is a very strong and useful tool
- the community must have ownership of all processes
- this is crucial—a small minority should never be making decisions for the majority

Appendix 1.3: Summary of Opinions from Oral and Written Submissions

A. Need for a New Election

1. Need for A New Election

- I want another election which I can trust.
- We want to see an honest, fair election. That's what we want to see.
- There should be a new election. How many dead people voted? You know, what was the reason for dead people voting? Did somebody need votes that bad?
- I think, first, you have to have your reform then followed by an election, but in that government should be involved.
- The majority of people say…that we need a re-election.
- If we hold another election is the only way we are going to get everybody to participate.
- We have to scream for another election date. We have to amend the constitution; we have to plug the holes. We have to amend our acts, our regulations over time. But the next election has to be run by an independent body.
- We need to move … forward and we need to have a re-election, and I firmly believe that the presidents should call that re-election. We need to have a spokesperson from each Local rather then 100 people from each Local with all the opinions. We need to take a position as to what the process should be. We are losing a lot of credibility in governments and every place else.
- They've done the right thing by cutting off the money now. They should keep the money cut off until after the new election is held.

2. Need for a New Election Run by a Neutral Independent Officer

- Independent, not controlled. Something that would be at least an arm's length from the organization so people don't feel like they are being manipulated.
- I favour an outside body to run the next election and I am wondering why we can't use Election Saskatchewan at least to some degree, if not totally. They are all set up and ready to go they don't have to do the retraining.
- Well, it has to be an independent body. It is unfortunate that Métis people can't run our own elections and be responsible and accountable in doing that, but obviously that's how it is. This isn't the first election that wasn't run properly. This is the first election that people just couldn't look the other way.
- I think independent from politics, but not necessarily independent from Métis people.
- Start looking at establishing a third party organization to deliver the MN elections.
- I think it's important to run an independent election.

- We have to do something different. We have to get other people involved. Someone who is at arm's length from the Métis Nation.
- There has to be a change. I'm not saying that Métis people can't run the election. I think we are going to have to have a third party involved.
- Who should look after the elections? I think there should be a panel or a committee voted by Métis people. A set committee… where they have absolutely nothing to gain, where they will be fair, and that's the only way I see it working, if it's a committee that's being set up.
- Short-term solution is to do what Alberta does. They set up tenders and they have groups that do this for a living, they run elections and they look at the bids and then they give the contract to that third party, and they run the election. The long-term is changing our respective constitution and acts so that it reflects the role of the Métis people.
- We the Métis people and the taxpayers of Saskatchewan should be running an independent election. If we allow our Métis politicians to appoint their people to conduct the next election it will not be a fair democratic election and a waste of our hard earned taxpayer's money.
- The independent and neutral Métis election agency. I think we, we do need that… I think we should have…, a separate body run that…election agency. That agency couldn't be coerced, or bought or manipulated by anybody. They have no political affiliation with anybody running. They don't carry any vendettas or axes to grind. They may bring more experience running elections. They're unbiased, untainted, unaffiliated, understanding, professional, fair. And that process will respect the will of the Métis people.
- I don't think the way things are done right now, that we can run our own elections. We need an independent body that has nothing to do with the Métis Nation of Saskatchewan that can coordinate and run our elections. I'm sorry to say it, it's like we are little kids that can't take care of ourselves. But through the years things have happened, this is the route we may have to go for a while.
- I believe we need the provincial government and/or federal government to organize and control our elections because we have proved over the years that we cannot run an election without being corrupt. The government should assign an independent and neutral Métis agency for the elections.

3. Need for a New Election Run by an Interim Council

- Someone needs to partner with the MNS and walk with the MNS for a while until the MNS… has grown enough in order to do things properly themselves. Right now, I don't see that they have the… interests of the Métis people at heart.
- I think there has to be a temporary thing because there needs to be an immediate solution. If we put this process in the hands of the government it will be done quickly. If we leave it in the hands of the Métis Nation, have everybody decide, it will be months and months. In the meantime, our credibility as a Métis nation is going down very

quickly, not just with the government, in general, and across Canada, so it's something that has to be done temporarily and quickly.

- I don't want the government running our elections. We're a nation of people. We are capable of making our own decisions, but give us a chance at the polls to do it. Yes, I think the first year, I think it should be supervised, but not taken over by the government. The Métis people will run their own elections. In my opinion, the government should step in and take over our elections for a couple of elections. Train the people who will be running them in the future. Train them to do it right. If we did this at a provincial level or even a federal level the people would be in jail for what's going on.
- Until we can prove ourselves, we should have a private firm doing our elections.
- For the first while, they can monitor the process, but get them out of there after that because… we want to be our own bosses, we want to determine our own future, we want to determine who our leaders are, and not the province, not the federal government, but us, the Métis people.

B. The Need to Reform the Electoral System

1. Need for Electoral Reform

- The Métis electoral system needs a major overhaul.
- I believe for sure, it should be reformed. …I want to be able to mark my "X" on a ballot and know who actually won, properly
- Need to have stable process that people can rely on.
- A priority should be declared and initiatives set out to ensure a healthy electoral system. The reform efforts should be cooperative and designed to identify, protect and assist individual efforts to effectively participate within the Métis Nation's overall electoral system.
- Going back to the grassroots, they should have [a] say on what kind of reform.
- The long-term solution is certain and fair honest electoral system devised and operated by Métis people.
- I think it has to be a total overhaul of the Métis Nation of Saskatchewan, not just our election process, and I feel our election process would run smoothly if we had the right people running the election.
- Take whatever time it takes, but do it right.
- I also think it should be reformed. … [B]asically, it would be to prevent this from happening again, to put protection in place so this won't happen again.
- Next, first of all should the Métis electoral system be reformed for future elections? Definitely … things have to change. First of all, Métis Nation, our constitution has to be scrapped and redone. … Secondly, the government has to give us proper funds in order to hold our meetings, in order to redo our constitution, our Métis election, electoral reform, everything -- this all has to be redone. And it takes money.. … Our

constitution has to be changed. It should not be done at a MNLA. It has to be an AGM, an Annual General Meeting where all the people from Saskatchewan can share in the process. … We have to take advantage of that, that people can come and share in the process. … And I really think there has to be a third party to do the election properly. At least this next one.

- I really do believe that the electoral system should be looked at. The act, the act should be looked at. I don't think you can separate the Electoral Act from any governance issues.
- The solution to the first question, should the Métis electoral system be reformed? The solution in the long term would be a political structure that has checks and balances, a voice for opposition, with a free press, with a means of generating revenue. The solution would require a code of ethics, standard of conduct and perhaps qualifications. In the short term, in order to get something moving, I believe that a structure should be implemented by the funding agent, also known as the provincial government, where there's the appointed political body that oversees all of the affiliates and representatives of the Métis Nation of Saskatchewan. … This process is far from perfect, but will allow this to continue to operate and meet their mandates without political interference. This will allow an opportunity to structure a new organization that is truly representative of the Métis people.

2. Need for Creating, Distributing and Enforcing Election Regulations

- Why is the Métis election any different than a provincial election? There should just be a set of regulations and standards that everyone should follow.
- If you are a Métis of Saskatchewan …you can only vote once on election day like in any election.
- There is very little in place to ensure that the election goes as per the Elections Act. I don't think there is problem with the Elections Act, I don't think there is a problem with the election system. It is the system surrounding it. There's always a challenge with membership come election time, and there is always a challenge with the DRO's, the poll clerks because they don't have the training. There is no resources in place to make sure that things are going the way they should be going. Speaking personally, within this region we have very few challenges because we try to do that internally on [our] own with the resources that we do have. There is no triggers in place to make sure it doesn't happen province-wide, I guess.
- We have conflict of interest guidelines now, but they are not being followed.
- There should be no favouritism, there should be no family involved if you're running [for] election. That should be, you know, above board, like you say, transparent, but it's never transparent with us. I don't know, it just, is unbelievable, unbelievable what they did this election.
- We have rules and regulations that are in there and someone said they have to all be completely scrapped and redone, but I've looked at, uh, some of the Election Act and

stuff like that, but the problem is that some of the politicians or the locals have not followed the elections.

3. Need for Up-to-date and Official Voter Lists and Addresses

- I think that the biggest thing is the voters list. If we had a proper voters list we would eliminate a lot of the problems. It would be a lot of harder to cheat, having dead people voting or non-existent people voting if we had a voters list. It's an embarrassment to the Métis people when you hear stories about all the stuff going on. It's an embarrassment.
- A voters list in each area be created as a permanent record, with additions and deletions made as necessary. Locals are capable of doing this, but are always lacking funds.
- We need to have a stronger identification for voters. … [T]herefore we wouldn't have dead people voting.
- Well, if we can get a process in place that can automatically be updated every year, so as you go from fifteen to sixteen, next year they would be able to vote, so they would automatically on the voters list, that would be part of the process. Then we wouldn't have the issue of dead man walking because it automatically takes them off the list. But also, once you have these photos and this information archived and you can look back at 1972, who was running, what was the platform, and who was involved, and what were the results of the election—you are able to use that as an educational tool as well, which we are missing. We have people at the local level, regional, provincial that [are] not receiving the education they need about the Métis Nation electoral process.
- All I can really speak about is… the local level, just trying to be counted to have my voice heard, to exercise my right to vote, I'm a Métis person, and so on. I should have been able to vote, and I was not. And I still have never received an explanation how I was removed from that list, why I was removed from that list, who authorized my removal.
- I agree that we have to straighten out the voting list.
- The Métis at the grassroots level definitely have to be involved in changing the Métis electoral system. There has to be legitimate electoral or voters lists.
- A really good voters list has to be in place.
- They're ashamed to be Métis because our votes don't count.
- I have two cards and I wasn't on the voters list.
- Legitimate voters lists. … We have to have definitely trained people to run the next elections.
- I couldn't get on the election list. I tried to get a Métis card but I didn't get a response. I voted before and I had the old card.
- Voting lists should be posted in post offices, not only in Métis Locals. Post offices, everybody goes to their post office, and those voting lists that are done should be verified by the post mistress or post master in that community, so we don't end up again with

109 names that the post mistress doesn't know, you know. Because that was a problem in a number of Locals down south. In the north, we don't have that problem because we pretty much know everybody, you know.

- I work with a lot of students. These students moved down south to go to school and when election day came they could not vote because they weren't on the voters list. There was a group of elders in Prince Albert that weren't allowed to vote. They were led to believe that as long as they had a card they would be allowed to vote anywhere and they were quite upset. So I know that there was many people who were listed on our list but they weren't allowed to vote anywhere else.
- The database should be there if it shows that they have voted more than once.
- We could utilize our technology that we have today to.

4. Need for Training Election Officials

- I think that's one of these questions here, you know, before the election, make sure the people are trained to run the election. That's what they should do for these elections, too. Just get the proper training done and that way they know they can't turn anybody down.
- What I would like to see is the DRO's and the poll clerks, they should be more trained. … There is never enough money to run the election. It is under-funded.
- We have to get that training. … [A] good place to get the training from would be the Saskatchewan elections.
- We keep talking about training of the DRO's and the poll clerks, but I think it can't stop there. I think it has to go to higher levels so that when you phone in and have a question, so that the person that is responsible can answer that question without having to go to three or four people in the room.
- Stuffing ballot boxes, you know, running around with ballot boxes that are never heard of in a provincial or federal election and everybody gets the vote. They are trained.
- We want a transparent process, well, then we have DRO's trained in every community in this province to look after election. People that have been trained by Elections Canada, by Saskatchewan Elections. These people should be utilized, independent people. They have nothing to lose.
- As far as I'm concerned, if they're going to continue with the same format of the electoral process, there should be mandatory training for every chief electoral officer and poll clerk prior to the election.

5. Need to Provide General Training

- I think training needs to be consistent at all levels.
- The person that you elect should have [a] political background and know what they are talking about when they are talking to the government. Some don't have that and then it embarrasses the people that voted for them.

- We would be better off using our own people if we could get the honesty and the training that we need.

6. Need for Creating and Publicizing Electoral Appeal Processes

- There should be an appeals process in place. When you listen to the radio, first this person is elected, and then an hour later another person is elected, so that's confusing.
- We can't have a Senate to be the MEC, run the election and then hear the appeals. It's like judge, jury and hangman. You can't have it both, three ways. I respect the Senate, I have ultimate respect, I have the utmost respect for the Senate. They've earned their way to the Senate, their lifetime appointments. But we've put a lot of pressure on them. A lot of leadership in the past, when they couldn't handle the pressures of the day, well, they said "Dump it on the Senate," and that's, well, that can't happen any more in the future. The Senate can't be all three. There has to be an independent registrar, an independent… electoral, chief executive officer. Let's have the vote, and let's have an appeal process where it's independent.

7. Need for Process to Prevent and Punish Abuses in Electoral System

- We need accountability in our system. Accountability and responsibility.
- The main point of a democratic election is the ballot box should be totally respected.
- Don't go and accuse a dead person for voting to try to win an election. But you know these are the ones that should be silenced. Talking about stuffed ballot boxes, whoever stuffed those ballot boxes would be the ones kicked out of the office or whatever. You don't have to go after every Métis that is trying to be there for the cause. Good grief, there is a court system, there is a justice system, why don't they use it?
- I think that a lot of people are under the assumption that there was something in the Election Act, if some one gets caught, then there is consequences.
- What I am saying though there should be a contravention clause within the Election Act itself. Contravention, if you contravene an act, it means that you've done wrong … and you can end up with criminal charges for tampering with that law maybe we should have those kinds of charges just to let people know there are those kinds of charges.
- There is a lot of reform that needs to be done to the Métis elections, but I think number one, any wrong doing by anybody, DRO's, poll clerks, anybody, there should be charges laid immediately. That's the way we are going to straighten out our elections. … People that are allowing that to happen should be charged. The government should be charging them.
- It should be stated in the Elections Act that any wrongdoings should fall under the Canadian Elections Act and any type of ballot box tampering or anything they are liable for five years in prison and that's the way it should be.
- We don't have any consequences within our regulations. That's what we need to include.

- I think if we used an auditing firm selected by the government with the statement right there, if there is any wrong doings in any of the polls or anything, charges will be laid immediately.

8. Need for Screening of Workers and Candidates

- We should be setting up some guidelines as to who runs. I consider myself as an elder and I have been a part of the organization for a long time and I feel that people that are running should be role models and they should agree to have a police record check. They should not be involved in any criminal activities nor should any woman or child be afraid of our leaders. If they should end up getting charged with any serious offence that violates the life of any human being in any form whatsoever or misuse of funds that they should immediately have to step down, and that way we scrutinize and we protect our own people and we protect our own children if these people are elected then let them stand up and be scrutinized by the public. And if they are going to run, they better have clean record at least five to ten before they be allowed to run.
- There has to be screening process, there has to be applications checked and a person's credibility. We need a foundation and we need a strong one because we have all been hurt by this election and it's time that it stops.
- Well, I think the first thing they have to have is our candidates have to be screened more or checked to find out whether they are accountable to run. If they have any… other things that have happened in their past, then they shouldn't be allowed to hold a position.
- Another thing I would recommend is that they should do a security check on those people that are running.

9. Need to Improve Information on Elections and Candidates

- What I'd like to see, if there are people who are running, they don't know their faces, they don't know their names, they are just going by someone else's opinion. If there is this electronic option then those speeches or whatever, you can go onto a computer, you could see their faces, you could hear their speech, you could make your decision right there.
- You could take your time you could look at those speeches twenty-five times at your Local. You could ask questions while you are there. We just have to get into the electronic age.
- … one month's notice, we need a little more time to get the information out there to get the candidates known.

10. Need to Increase Participation in Elections

- The ability to get a place, you know, transportation may be an issue for some people. Federal elections, you have parties that pick people up and get them to the polls. … I'm just wondering if there is anything that can be done to facilitate, to help people get to the polls.

- There's so much apathy out there right now, people just don't want to be involved anymore.
- I would like to be involved, and I don't want to be intimidated.
- I don't think the problem is to get people out to vote, I think we need to get the information to the people, and once they are treated with respect they will travel.
- There should have been advance polls set up somewhere. There were no advance polls, not in this area anyway.
- There has to be advance polls. … Advance polls will address some of these people who can't vote on elections day in the future. We have to have advance polls.
- Because anybody could check off who you vote for at home, you know. This way you have to prove who you are when you go in to vote, just how you normally go to vote for elections.
- We have to have mail-in ballots in the far north, uh, Camsell Portage, Uranium City, Stony Rapids, Stanley Mission. I can only remember those and there's a few more. The boxes were in the Greyhound or STC offices, so those people weren't allowed to vote. There's Métis up there.
- A lot of our people are still intimidated by electronics and computers, they don't want to touch it. They don't even want to turn it on. They have to understand what they are doing to get that motivation to want to vote.

11. Need for a Party System

- I think an opposition style system is the key because it gives the people a chance … to have their voice heard in a political system. It works for everywhere else in the world, why wouldn't it work for us? And when I brought that system up, I was not allowed to vote. On top of that, I was kicked out of my Local. That did not sit well with me.
- When you have your executive elected, there is no opposition party. There is no really means of voicing criticisms about what the executive is doing, and so… I know this would cost a lot of money and maybe not doable in the near future, but certainly it would be nice to see that the runners up or something like that, some area where, some area where there could be created an opposition group or party, if you will, so you could have a check and balance on what the executive is doing. Because the way it's run now, and I agree that all Métis people should have a voice, but on the other hand all you get in the process is gossip and innuendo. There's no real way of voicing your concern to the executive if you have a problem with what they are doing. I realize it would cost a lot of funds but certainly there should be some … body of people that were runner up in the election that would, you know, be there to criticize any of the things that they, any thing that they have a problem with in regards to what the executives are doing.
- There is no means of voicing an opposition to the current structure. The Saskatchewan political structure has three political parties and two serve as the voice of the opposition to the party in power. We have no opportunity for there to be a voice of opposition.

12. Need for Financial Resources

- I think the one thing we have to recognize when it comes to an election is that it all comes down to finance, and governments also have to take some responsibility, whether it's the Métis government or the mainstream governments, that if you don't put money towards the process, how do you expect the process to work?
- We do need more dollars to run an election. You can't run one on a shoestring budget. It's just impossible, and there should be workshops for these DROs and even for the chief electoral officer.
- Now, should there be a divide and the south looks after itself and the north looks after itself? When the money comes from the government, is that split evenly?
- The election process itself has to be properly resourced.
- There wasn't money to ensure that… people on the list were, in fact, bona fide members of the Métis nation. All of those things take resources and the Métis Nation of Saskatchewan is grossly under-funded.
- I think if the resources were there in the first place and we had trained people, a solid enumeration and registration system… and an electoral officer that wasn't just hired for …that short term and fire up an office in P.A. and that sort of thing, that we would have had much better results.
- We don't need to ask the government for money to do what we need to do.

C. Need for Reforming the Citizenship System

1. Need for Reform to Citizenship Registry

- The most important thing to work on is that registry.
- The enumeration has to be done. You can't have an election without the enumeration.
- We have a registrar's office but no registrar.
- They have to get that straightened out once and for all. As long as they keep bringing up the issue over and over again, "who is Métis" and "who isn't Métis." I have a card that is signed by my Local and signed by the president now. If that isn't valid then what is?
- You certainly could find some credible Métis people that are educated that could be…part of the central registry. And the registry has to be free from political influence. These types of people on the registry should have some knowledge of census data and vital statistics and so on. People that are knowledgeable, so this is done professionally. There is also on the issue of membership cards….the central registry should be in charge of issuing membership cards and these cards should have not only the person's name and those types of things on them, but there should be a picture. There should be cards that have a person's picture on it. If you are registered in one particular Local… then that card can be, say, for example, you move to a different region… you have your picture on that card you should be able to move to another region and there for your

rights as a Métis member of the nation will be portable, and…. this will overcome a lot of problems, I think. Now, also… there should be an election office created and should be combined with the central registry, and again this should be run free from the influence of politicians.

- I think we need a proper enumeration in order for the election to go smoothly, and that requires resources we don't have.
- If we can't identify our members, how can we let them vote? So we need proper enumeration, the whole membership. … We need to be able to identify who our members are.
- Establishing a registry solution, that is going to take a long time.
- Once I was registered, it would be registered with the province and also with Canada, and once it was done that way you wouldn't have to go to your Métis organization. You could go to the province or you could go to the government of Canada and you could get that list of all of the Métis in your area and who is eligible to vote. Once we are recognized by the province and the country that we are Métis, then we won't have to be filling out the forms again and again.
- The new members are actually having a hard time getting their memberships or getting their Métis cards.
- I am the president of the Local and I don't even have a card.
- I have had two lifetime membership cards.
- Well, if we don't want those dead people voting, then we better have an enumeration. There is no sense having an election if they are not going to take the time to do that. … [W]e need a central place where nobody can touch that document
- I don't need the Métis Nation of Saskatchewan to tell me I'm Métis. I know I'm Métis. That's the bottom line.
- The most important thing is to have an honest updated membership list because it is very painful when you go to vote and you can't vote because you are not on a list, but yet your deceased mother is on a list or your deceased father is there or someone that [is] in the corrections center.

2. Need for Independent Citizenship Registry Office and Officials

- This registry should be handled by a neutral body.
- A central registry needs to be set up away from the political office or MNS politicians, area directors, presidents. The staff must be hired independently and not be influenced by any politicians. In other words, the MNS leadership cannot hire or fire. From the central registry, the staff can screen memberships and membership applications and approve based on their genealogy, etc. This will prevent abuse and influence from the outside. For once we will have lifetime membership and not waste anymore of the members' time and the taxpayer's money. From the central registry, the approved

membership and electoral list can be created for election purposes. The chief electoral officer and staff can work out of this office at election time. Their positions can be open to all Métis, but must be hired by an independent body. For registration to be Métis, I would like to see it where I am not only recognized by the Métis organization, I would recognized by the province as well as by the country as being a registered Métis.

- You're talking about an institution; you're not talking about workers in the institution. You are talking about the registry as long as they have some clear roles in terms of what their mandate is to do and as long as they are not conflicting each other's roles because that is one of the challenges that we facing here today, because of those conflicting roles.
- Long term, we need to look at developing a registry institution start looking at making sure that the Métis registry is in place and that it's consistent with the Métis across the province and also having this registry perhaps looking after Métis electoral commission or to administer the elections act so that it's consistent but there has to be a clear role in the mandate.
- We could register people without even registering in the local. It would be up to them to register in a local. If you are Métis in the province of Saskatchewan you should be able to vote wherever you are living so you are still voting for the same people as far as provincial level. So the local is only for your local rep.

3. Need to Relocate the Métis Registry Office

- I don't think …that registry should be… in the MNS office. Really, it should be a stand alone affiliate so that we don't have those political ties and political interference.
- Let's put the office in Batoche, in that building. It's central, it's in our traditional territory, and it's in Batoche.
- Having an independent registry, I agree with that, and it needs to be away from the MNS head office. And so does the chief electoral officer. This way we don't have people pressuring that individual to do this, that or the other.

4. Need for Local Control of Registry/Membership

- We had done a registration for our Local and it's quite complete and it's up to date, so what I would suggest, like, this master list has 850 names on it. If it was made public, anybody that has a challenge, like, that person can be identified, and nobody has any issues, then all those people listed are Métis recognized. … [W]e are registered, we are okay because there is nobody we have to verify. There is no challenges.
- Because there was so many discrepancies, we decided as a Local … we took it upon ourselves to have the documentation here, have the documentation copied, have the photos here, have our own database here, which we started. So then we know we have started a process from the bottom. From there we pass it on to where we are told to, with the assumption it is going to reach the MNS. If there is a discrepancy then we give them a copy of what we have got to the MNS, so that it's an assured system.

- I think that as a Local president I know everyone in my Local and their families. As a president I take the responsibility to know my people and to know how long they have been there.
- They have to be accountable and credible. We have to work with the grassroot local people because local people are the ones …who are Métis, and who they are. You can't ask somebody in Saskatoon about my Local in XXX, about who is a member and who isn't.

5. Need for Citizenship Membership Cards

- You would have to start right from scratch because[of] how many membership cards have been given to people that are not Métis?
- [There] should be one card, one membership, that's it. One citizenship, same as First Nation people. Just because they leave the reserve doesn't mean they're not part of that reserve anymore.
- One card, one membership … and have it set up in the computer system.
- I am just saying that we need to have consistency. There are a lot of members out there that don't have cards.
- I would really like them to look at working on the registry. It's the most important thing. We need to have these people get their cards and recognized as Métis people. We need to have an honest group of people running the registry.
- We have Locals out there, presidents that are out there that are not letting people register.
- So they get frustrated, and when you go to take the applications to the head office and they are supposed to be registered, they don't have the time, money, infrastructure to actually do this stuff. This has been a problem, and a request to the provincial and federal government to say, In order to fix this, you are gonna have to give us resources.
- Membership cards [should] be a permanent record, and the numbers on the card can be used as identification at the polls, as well the provincial hospitalization numbers be recorded with membership card, as a cross reference for identification. We know hospital card numbers are permanent.
- The Métis card should be issued through government that way they can't be taken away nobody can take that away.
- I think we reached a very critical time and the membership lists they can not be subject to manipulation by individuals even if they are presidents of locals or who ever we need this independent arm's length third party to handle the registration of members, the membership is for life, I was born Métis and I will die Métis and regardless of what political system. I know who I am and I am proud of it.

D. The Need to Reform the Governance System

1. The Need to Reform the Political System

- In order for this process to work… we have to start somewhere. Like you said, from the ground up, not the top down.
- It should be changed… because of the corruptness that goes on within the organization.
- We need reorganization from the bottom all the way to the top.
- I think that the election is just a symptom of the sickness that we have as our system, as a whole, right from the Locals right up.
- We have to change our way of operating from the Locals up to the upper echelons of the Métis Nation. Right from the Locals up. It has to change.
- Our current system only serves the status quo and doesn't work for the Métis as a whole.
- We traditionally had a very good political system before white involvement, and one that was fair and went back to the very fabric of our Métisness, the family. That was the traditional system and the family heads. You won't go wrong…, when you're speaking for your family because you have your family to be accountable …to. Another good system that could work is a ward system based on population, and one that doesn't have a vested interest on empire building and could fit our current needs. The ward system could work very well…, and the Locals could be turned into community groups that would service the people's social needs. The political needs will be filled by the wards, separated by population, both urban and rural. This would stop empire building by certain individuals and offer a wider and more democratic voice for the Métis. What we have now is a small group of people speaking for all Métis people, when all they are is speaking for their own personal needs, not the needs of the whole. We need some rules of governance and…, membership that will be strict and prosecute the violators. We traditionally had these rules, and they were called Laws of the Buffalo Hunt.
- When we talk about reform, it has to be an organizational reform, not just the Métis electoral reform.
- We have to change the whole political structure if we are going to make any significant changes that will count.
- The Métis Nation has to come up with the policy, process and procedures on how to govern ourselves. We need to come up with the solutions ourselves.
- Ladies and gentlemen, we are in a constitutional crisis. As to why we are here today, first of all, this is our organization and this can only be fixed amongst ourselves. What comes into question at this time is that we better define what is the issue and problem. There are real serious issues here and the problems are the election process and our leadership. This is reflecting negatively on our nation and our governments. We need to take responsibility of our problems and define what those issues are and deal with them. I would suggest right now the issue at hand is a constitutional question mark.

What brought that all about? I can say our elections have been under-funded. We have not trained our electoral staff, we have not completed our enumeration or registry. We have made attempts. These are all issues and questions that have to be dealt with. … [I]f we are going to deal with the constitution, we better be serious about it. I suggest that we call a constitutional meeting. We go on our own without any government involvement with our finances and deal with this constitution, in particularly, the issue as I see it is who runs it. The constitution is our laws that govern our actions and is our initiative for the future. In the constitution the Senate had responsibility for the elections. It is unfortunate that we have used and abused our senators. There is supposed to be no political bias. What we have done is that we have put them in a position where they are political, and now it's reflected on our election and unfortunately it has reflected at the Senate. Our respected elders, we are taking shots at them… What has to happen is that we have to call an constitutional meeting [to] deal with that section in the constitution under the elections, and if we don't want the senators to run the elections then we have to amend the constitution.

- I think that as long as we don't have a clear understanding of who is, and who is not Métis, and who is not eligible to vote—yes, there will be functioning Métis Locals—but unless all the Métis locals are functional, then it's not gonna work. This is not just a Métis Nation provincial problem; it's a problem from the grassroots up. And until we deal with these issues at the grassroots level, and this is why I recommended that we need an enumeration, central registry and we need an election that is accountable.
- We need to be looked at as a respected nation.
- I think it's so important that we regain some credibility and dignity because that's what the Métis people have, is dignity, and we need to regain some of that dignity in the public eye.
- I would like to see accountability for the ones that have done wrong, let's say, for funding that's been, you know, misplaced or, you know, fraud and that kind of thing. You know, these people have to be, you know, they have to be brought to justice and accountability. I believe that not everybody [should be] painted with the same brush. There [are] some very good Métis people out there, but it seems like they get stampeded by the ones who know how to play this game. They've created this game, they know the rules, and that's why the rules have to change and the rules have to change for better for everybody, and than the accountability will come. One thing I would like to see out of the MNS in Saskatoon is more communication, for lack of a better word, for the forgotten south because we are the forgotten south. When you say Métis and that, what happens is it's all the north, and that's where a lot of the population is, but we've got a big population up and down here, too.
- Everybody has said it over and over—transparency and accountability.

2. The Need to Reform and Apply Constitution

- The constitution needs clarification.
- The local level is going to say, *Why do we have to follow rules and regulations when*

the higher up don't follow the rules and regulations? Why have we been cut off? It's not because of the Locals.

- But you have got to respect our constitution, as flawed as it is. That is what our nation lives by. If it's not working, you don't throw the nation out the window. You make the changes that need to be made to make it work.
- We were always claimed to be grassroots. The grassroots left when we brought in our constitution. We became an exclusive club.
- With every nation there is a constitution, or at least in every democratic nation there is what they call a constitution. What the constitution is supposed to do is to be used as a guideline for any nation. It enables the people to make and create laws, and as well pass legislation. It's supposed to protect its citizens, to provide, as well, a democratic process in all aspects of government. The Métis Nation, we like to describe ourselves as a democratic process, but something went wrong.
- The current *Métis Act* has to be repealed. The *Métis Act* was constructed without consultation of the Métis people.
- I also believe in, in the constitution that's before us, our Métis constitution. It took time and manpower to build that constitution. The only reform we have to have here is a little bit of honesty. Who should be involved? The grassroots people—you, me, you, everybody. No more of these politicians jumping up and telling us what to do.

3. Need to Enforce the Constitution

- We need to identify that we are not abiding by our own constitution.
- The constitution is only as good as people who will follow it. Now we have a constitution at the provincial level, area level, and the local level, and there is no one to police it and people abuse it. They make their own rules, so I don't know how you are going to control it.
- Even if we followed the provincial constitution, there is nobody to police it. You can make up your own rules.
- In our constitution, first and foremost, there's nothing in there if a leader, an elected leader, is not performing, is not…behaving in a fashion that a leader should behave. There's nothing for us to hold them accountable.
- There's a whole lot of things that have to be looked at in regards to ensuring that our constitution [is] followed, ensuring that there is some sort of mechanism by which we as members can hold our leaders accountable… and we have to ensure that our leaders, first and foremost, follow that constitution.
- I think rules made should be rules kept.

4. Need to Reform the Senate

- Ever since we brought in a Métis Senate to judge our elections, to be our adjudicators, judges, whatever you want to call them, nothing has went right.

- I think the Senate should not be involved in the elections at all.
- I was at the meeting, I think it was an AGM, when the Senate was established, and I knew it was a mistake when they set up the Senate without defining their roles or the scope of their roles. I strongly believe in the respect of our elders, but when you create an entity without defining what their role is, then you basically create a monster because then they define their own role, and that's what happened. They defined their own role and they took on a life of, a power of their own that was beyond the control of the Métis Nation, because if anybody stood up and spoke against what they were doing, then they were told they were disrespecting their elders and that their membership could be pulled. So, really, the Senate could basically do whatever they wanted to do, and there was no way of controlling it or reprimanding it because heaven help the person that stood up at that AGM and said something negative about the Senate, because then you are slapping your elders.
- Now, what I can see there is that the senators have a lot of power and again, I'm saying we should respect our elders, we should have these people in the Métis Nation, but their power should be clearly spelled out in regards to what issues. By all means, they should act as an advisory board because their knowledge is vital to making sure that we have a healthy nation.

5. Need to Reform AGM or for a New Body/Process

- I think that whole MNLA system needs to be scrapped. It takes the voice away from the average Métis person like myself. I mean, I can't go to a meeting and speak.
- The MNLA is not fair, it is not democratic. It is set up to serve… the leadership. It is not set up to serve the Métis people, and this all has to change.
- We need an AGM. I'm not going to go for an MNLA, a Métis Nation Legislative Assembly, because Locals are getting kicked out. And those people that are, want to speak out, and, and change what has happened will not be allowed a voice there. And, more importantly, the voice of Métis people is not allowed at the Métis Nation Legislative Assembly because the only people that can speak there are the presidents, the PMC, four Métis women and four Métis youth. We need an AGM and the true voice of the Métis people need to be heard! The other thing that I, I would say, when we get this AGM, when we get this AGM, we need, or the AGM, the Métis people should appoint committees. And the committees should consist of this: the election committee, and I would suggest this, that election committee primarily be Métis, but there should be one federal and one provincial official on there, on the committee so that they all play a role, and are partners, are true partners. And they know the process is fair.

6. Need to Reform Operation and Funding of Locals

- I think we should hand the power back to the grassroots people.
- But I think we have to have a plan in place to say how we plan to carry these things out so that, you know, we're truly accountable for it, and then maybe the purse strings will

be opened up again. But it's still the grassroots people that suffer without the money. Yes, maybe the MNS in Saskatoon, I mean they're getting by, that's about it. But it's, it's the people, the grassroots people that are suffering because of it. The dollars that normally filter through to the affiliates and stuff are flowing. It's got such a hold on everything: education, programming, a variety of things. I think we have to have a convincing plan of how we're going to carry this out, with this, for the government.

- Another problem we have is funding and that there is no core funding, so it makes it awful difficult to run a Local properly, you know, efficiently. We are all volunteers here and we put in as much time as we can.
- I think the issue to me is build the Local stronger, build your region stronger from the grassroots up. This is an opportune time for our leaders at the local level. Let's build on that first.

7. Need to Reform Relationship with Government

- The constitution and Elections Act should be developed in partnership with federal and provincial government.
- I would like to recommend that we are building a nation right, that's what we keep saying, but here we are offering the government to oversee us. I don't agree with that and I would like to say there are definitely people that are educated in our community, and those are the people that we should be seeking, building and supporting, not tearing down like we do in a lot of cases. Those are the people I would like to see on the panel. We have people, it shows here today, that we do have people that are coming forward to support the Métis nation and Métis people.
- I think that what we need and what we want is our province and federal government to take an active interest in our democratic structures so they can build our capacity, so that we can actually work in concert in addressing some of the fundamental issues that we keep talking about.
- I think if the government really wanted to support the Métis Nation political body, moving forward, and if they wanted to see quality candidates put their name forward for elections, that they would give them X number of dollars to pay the political leadership. … I mean, the federal or provincial governments, they don't do that for nothing. They get well compensated for their time and their efforts that they put in. So if the government is legitimately interested in supporting the Métis Nation, then they need to put the dollars behind it, too. If they want good people sitting at the table representing the Métis, then they have to be compensated for that. Would I like to see that now, in this situation? No, I wouldn't, because the people that are there are not accountable.

8. Need to Examine the MNS Financial Matters

- Here is a long term plan: establish another, a financial administration act so there are checks and balances and accountability, and, I, now that politics is one thing, as far as accountability, but there is also the financial administration of it as well.

- We need auditors to audit our finances and keep track of them, as we have proved over the years that we cannot handle our own finances without misappropriating funds.

9. Need to Improve Communication, Coordination and Training

- What I see in the Métis Nation is a real lack of communication, when you, people don't know out there in the communities what the executives are doing. I am always interested in things that are going on in the Métis Nation. But, you know, I never hear about them until it's a done deal, and what I am saying is, could there not be some, say, we are in the twenty-first century here as Métis people, where you have a system set up. Many of us have computers or we have access to computers. Could we not get electronic mail, email, or something that outlines… the political agenda, the social calendar, that type of thing, for what's up coming for Métis people in the future? Métis are, have been recognized as, as Canada's forgotten people. Here in XXX, we can justify saying we are Saskatchewan's forgotten people because our Locals have been turned, overturned for no reason at all. The justification for that is that we haven't had elections here …based on the constitution, which is untrue. There are personality conflicts that have come in the way of our leaders truly being the leaders of our community.
- Why do I really need to belong to a political, a Métis political organization? What would you do? I'm represented through my city council person, through my provincial MLA, my federal MP, if I'm in a union, my local union rep. I mean, if I need things done for me, I have people I can communicate with, pick up the phone and call them. I'm their constituent, this is my issue. I don't have that opportunity within the MNS.

10. Need for Area Directors to Perform Proper Coordination Function

- Eliminate the middle man. We have an area director who is supposed be representing this region. The presidents get their direction from the members. We, in turn, give this information to the area director. From what I have seen, the area director is supposed to be working for the presidents, and it doesn't happen in this region and it hasn't in quite some time. Like I say, it's a good thing we can work directly with the government. It gives up what our members need, and we can do through membership meetings, whatever, we can give this to the government officials and say, look, I mean we know what the needs are and sometimes it gets lost from the president to the area director.
- Area directors control our organization. We must put qualifications, experience and education levels in place to ensure that these people first understand the issues in front of them and secondly that they are making the best educated choices on behalf of a nation of people and not their own personal gain.

11. Need for Political Education of Leaders and Members

- A strong education focus should be a priority and include the development and implementation of related curriculum. This should include historical and contemporary information regarding the Métis Nation's electoral system and governance within all levels of the education system.

- It's a necessity to pay our political leaders competitively, you know, competitive salaries and wages, because you know the old saying, You get what you pay for, right? But it has to be in relation to, not who they are, but what they bring—qualifications, education, all those things, whatever it is.
- These people, these positions, in political office, they're mentors and role models. … They need some education, absolutely. The minister of education, or minister, these ministerial positions are key positions, You … have to have checks and balances to make sure you don't have someone that doesn't have a formal education or work-related experience, or, you know.
- There are certain guidelines to be put in place, but you can't learn it except through the very thing you were talking about, experience.
- I would like to have the opportunity to learn more about it. I understand the constitution as posted on the website, but it would be nice to have that kind of education in place for people, for students to learn, you know.
- I think it all comes down to educating people about the basic structure of politics and the opportunities and where to direct your energy.
- You get what you pay for.
- I would like to see representatives that have absolutely nothing to gain, no vested interest, as fair as possible, you know, so we don't have problems like this.
- Candidates need to be educated in the terms of a "contest." Every race, even with a minimum of two entrants, results in one winner and one loser. It is common sense. If you don't want to lose, don't enter.

E. Feelings on Métis Nation Members on Key Matters

1. Feelings of Métis Nation Members regarding the Nation

- We need to get the respect and pride back in our community.
- I would just like to say that I don't like to paint the whole Métis Nation with the same brush because there is a lot of good people that don't come to the surface, and it's a little harder to get them up to talk. And I wouldn't be here if it wasn't for my ancestors, so I am just trying to do my part for what they have given to me.
- I think we, we better start looking atstrong leaders. That is what we need, is really a strong leaders to run our organization. What's wrong with our people? There is so much jealousy in our organization.
- We are wounded people, our spirit has been wounded.
- I would like it to be changed is for my son, my ten year old, and every other grandchildren that are out there and kids that are out there. If we don't have a collective vision and future for our kids, this is all for naught. Doesn't matter how much money we spend. We'haven't had a vision in a long time, collectively, with all our Métis people in the province of Saskatchewan. And it's time we do. And, I have to say that if, if we

don't, we're going nowhere. I'm not too sure about the second question, but "what reforms do the election system need?" I'm not sure, maybe we need an independent panel of Métis citizens, but in order to do that, we have to have trained people. Not once has the province or the federal government given us money to train any of our people. Regardless if it's the Senate, individuals, [or politicians] we haven't had any training, and we have no electoral reform. Who should be for, involved? All Métis people across Saskatchewan. Without individual voices, we don't have a nation. We built our nation on our voice, and we have to keep it that way.

- We need to be showing our strength as a people.
- I think the Métis people need to decide what is best for them.

2. Feelings of Métis Nation Members Regarding the Electoral Problems

- I looked at the last elections and have been greatly concerned and have felt very dishonored at the things that have happened and continued to happen. I am very proud of the people that said, "enough is enough, we are not going to have that continuing in our organization."
- I wonder if my vote even counted.

3. Feelings of Métis Nation Members Regarding Elected Officials

- These people do not represent me or speak for me because they have dishonoured me in the things that they have done and they should be duly dealt with in the legal process. I would like to remind everybody, like my grandfather said, "Don't forget who you are no matter where you go and you know who you are."
- Our people have done us wrong and we can't trust them to do us right, and until everything is in place so they cannot do us wrong, then we have to have someone else help us out. Let's clean up our backyard. Let's clean up our own stuff. We need to have honour, we need to have integrity, we need to have accountability, we need to be transparent, each and every one of us, and we need to treat each other with respect.

4. Feelings of Métis Nation Members in Certain Regions of Political Marginalization

- I do not know that the interests for the people in the north would be the same for the people in the south. Could you turn around and pick five people from the south and say they are going to represent everybody all across the province? I don't think so. I also think it's important to get each Local's point of view and what they have to say rather than somebody from the government, whoever, figures is going to be good at the job, and something as important as that should be decided by a broad field, not just a few individuals. They should have representation from each local as far as I am concerned.
- We in the south, if we want anything, we don't see a dollar from MNS at all, we damn

near have to get on our hands and knees beg them. Why should we do it? I think we are pretty well left out here in the cold in the south here. Everything seems to be done in the north.

5. Feelings of Métis Nation Members Regarding the Current State of Political Affairs

- I view the Métis political structure as an embarrassment. There are thousands of Métis people who work with the larger society. Every day they are looked at differently and connected to a flawed organization that says they represent them but doesn't. These individuals have not been represented fairly and deserve better. They deserve better from their own organization and certainly better from the provincial and federal governments. ... Many levels of shame exist. Unfortunately, it is the thousands of Métis people who live and work in this province that it reflects upon.
- I never did like that membership idea. We are not a Lions Club or Kiwanis. It's not Métis membership, its Métis citizenship. If you are a Métis citizen and that is established, then you should be eligible to vote.
- We need some good, strong leadership in our community.
- I feel that there's no transparency in our communities, and I really don't feel like I'm being represented, and I don't feel like I have no voice.
- The Métis are the only ones getting really hurt by this. ... If the provincial government wants to help in fixing, it can restore Métis funding adequately and fund the next election.
- My first thing is that I would like to see a ceremony for the deceased people that were disrespected for the elections.
- I think that is the whole key to bringing our people back. We have lost so many good Métis citizens who are not affiliated with us, now we need to get that communication happening again. I know we are supposed to be talking about the election, but I will just say one thing. It seems that a lot of the Métis at the top don't share with the Métis people, and it creates a sense of mistrust because we don't know what they are doing, but we always get to hear the bad news at the end of year when the money is gone. But then we never get any answers even when we ask. So that communication link has to be opened up. In the past, people would say, I will look after it for you. I have heard that for the past thirty years from politicians and I thought, What do you mean? I don't understand. I understand just like you do, maybe even better. This is how they kept our people down, by keeping valid information from them.
- We have to be accountable for our people.

F. Comments on Consultations and Report

- I just hope something really positive comes from this review process.
- I think what needs to happen is from the general public out there. The Métis public need

to challenge the minister. Like, we're going to be telling him certain recommendations coming out from the hearings. But the general public out there needs to play a role where they force the government to take some action … not just to leave the reports somewhere collecting dust.

- I think this type of forum is a long time coming and is a chance for the grassroots people to voice their concerns, which I don't think they have had a chance to do up to this point. So, in many ways this can be kind of a, a watershed time for Métis people to air their concerns.

Appendix 1.4: Summary of Community Consultations—From Flipchart Notes

Métis Consultations

Thematic Summary of Key Points

A. NEED FOR ANOTHER ELECTION

1. Need for a New Election

- There is a need for a new election.
- An election has to happen, but we need to deal with our short-term needs first. How are we supposed to set up a fair election if there is no organization right now?
- We should have another election to replace those who were dishonest.
- We need a new election with fresh candidates who have not run before.
- I support a new election for the area directors and executive.
- We should agree to have a new election with a body that will run it fairly.
- We need a new election immediately to restore order to the Métis Nation.
- I would like to see another election, but it must be run properly.
- We should have a new election for the executive and area directors, but not for the locals.
- The grassroots people and small locals have been hurt by the elections and we are negatively impacted while waiting for a new election to occur.
- We need a new election that is run honestly and ensures control over the ballot boxes.

2. Need for a New Election Run by Neutral Independent Officer

- An independent and neutral third party should conduct any new election.
- We need an independent body of people to oversee the next election and overall electoral process.
- I would like a Métis individual to oversee a new election.
- Another election is needed in 2005 that is run by an independent outside source.
- We need an independently run election handled by a neutral election officer.
- The province should force a new election.

3. Need for a New Election Run by an Interim Council

- An interim council leading a new election would be beneficial, but this presents huge challenges.

4. Need a Referendum on a New Election
   - There should be a referendum asking Métis people if we want to hold another election.
   - The Métis people should be the ones calling for a new election.

5. Need Presidents to Call For Election
   - Local presidents need to call for a new election.
   - Local presidents are prepared and organized to speak on behalf of their members and represent consensus positions that are taken at local meetings. As such they need to express our desire for a new election.

6. Opposed to a New Election
   - I am not in favour of another election.
   - There is no need to rush into a new election.

B. THE NEED TO REFORM THE ELECTORAL SYSTEM

1. Need For Reform To Electoral System
   - The system needs reform.
   - We need to build honesty and integrity into the system.
   - Our electoral system requires a strong foundation.
   - The Métis people need to be involved in electoral reform.
   - We want to see honest and fair elections held.
   - The electoral system needs to change in order for us to get our funding back from the provincial government.
   - An electoral reform team is needed to provide a major overhaul of the electoral system.
   - We should contract out our elections, preferably to Métis people.
   - To regain credibility, we need a plan in place that will allow us to move forward with elections.
   - Accountability is the key requirement for electoral reform.
   - We must break with the status quo—no more same old, same old.
   - We should work within the existing electoral system to achieve reform.
   - We require an independent electoral system that is modeled on the provincial government's electoral system.

- Our election process is not working; we must overhaul it from the ground up.
- We need reform because the electoral system is not effective.
- I have misgivings about drastic electoral reform because there are existing processes for change in our system. Any reforms must respect the Métis nation, the constitution, the Elections Act, and the Annual General Meeting processes.
- Democratic reform is needed to ensure that all votes are equal and all members have equal representation.
- Electoral reform needs to start at the top.
- Election reforms are necessary and require a special independent agency.
- We need to look outside the Métis nation to help with getting our elections in order.
- Other provincial Métis organizations tender out their election. Maybe we should consider a similar approach.
- We need to start from scratch because we are completely uninformed about what has occurred.
- We need a valid and fair election with accurate and effective citizenship processes and voter lists.
- Some changes need to take place to fix current electoral issues.
- We should start the reform process at the local level and ensure that Métis people are involved.
- We need a new electoral system because our elections have not been run well for the past five elections.
- Métis and non-Métis citizens should assist with the reform process.
- System-wide reform is necessary; we should start from ground zero.
- Reform is required because the fairness and accuracy of the last three elections have been challenged.
- Electoral reform is necessary to ensure that I feel confident that my vote counts.
- The electoral system should be totally reformed for future elections.
- I would like to see the election system changed in the immediate future because the current system is flawed.

2. Need For Creating, Distributing and Enforcing Election Regulations

2.1 Need for Detailed Election Laws and Regulations

- The structure of the *Métis Elections Act* is not the problem, but rather the system that surrounds the act.
- Loopholes in the *Métis Elections Act* need to be filled through a democratic process.
- Protections need to be put in place to prevent the current situation from reoccurring.

- Checks and balances, as well as sanctions and consequences for improper actions, need to be built into the electoral system.
- We need standards of practice to provide clear and simple policies that will be followed.
- Why should we re-invent the wheel when there are municipal, provincial, federal models that can be used?
- Clearer definitions would help.
- Some areas have their own constitution and bylaws based on the provincial MNS Constitution.
- Checks and balances are needed for the electoral system to function properly.
- We require a fair and non-partisan system, perhaps parallel to current provincial and federal processes.
- A review of the *Métis Elections Act* is needed to ensure that viable provisions are in place to move us forward.
- There should be a judicial process for electoral reform.
- The Métis people need to come up with policies, procedures and processes for the electoral system.
- Rules should be put into the *Métis Elections Act*.
- Elected officials should have fixed terms in office (perhaps only two terms for leaders).
- The current *Métis Act* has to be repealed or amended.
- Elections should be run on a rotating basis.
- The current system is flawed and does not have checks and balances because the election implementation process in the *Métis Elections Act* is lacking.
- The electoral system clearly needs an overhaul.
- We need a statute of electoral rules and regulations.
- The MNS elections could be modeled after municipal elections.
- The errors in the *Métis Elections Act* should be revisited.
- Electoral and governance issues cannot be separated; both need to be reviewed as part of the reform process.
- The MNS electoral process could be a model for the Métis Nation.
- We need a ward system, not an empire system.
- Reform of the constitution and *Métis Elections Act* is required.
- We should refer to other Métis electoral models and processes for guidance.
- The *Métis Elections Act* should contain punitive measures.

- We need to eliminate corrupt practices.
- Regulations should be put in place to eliminate electoral irregularities.
- The *Métis Elections Act* should contain provisions regarding the consequences of swearing false declarations.

2.2 Need for Distribution of Regulations

- Members have not seen the details, rules or regulations of the elections process.
- We need to build up our communication capacity to raise political awareness, contact potential voters and minimize interventions.
- In the last election, the voter list was sent to METSI. It is unclear who should receive the voter list. Perhaps the Deputy Returning Officer (DRO) for each local should have the list and distribute it to the membership.
- I was told to get a copy of the constitution from the non-profit branch.
- Election day instructions were only provided the morning of the election when the ballot box was picked up.
- Is there a set of standards for Métis elections? Are they the same for all elections?
- There is not enough information available to assist us with the election.
- We need to be able to understand the rules easily.

2.3 Need to Enforce Regulations

- Need an enforcement mechanism in place to deal with election issues.
- Independent observers are needed.
- People must follow the rules.
- Regulations exist for the electoral process, but some people are still able to make arbitrary decisions.
- Elections are typically not run according to the *Métis Elections Act* and the constitution.
- There were illegal ballots being cast and counted and other election processes not being followed.
- CEO should not be able to add Locals to the list after the 120-day deadline has passed.
- The Local DRO was told not to seal the ballot box in the last election (2001).
- Even with regulations in place, there are still opportunities for wrongdoing, such as payoffs, bribes, etc.
- The candidate lived here for more than six months and has a house and family, but he/she was not seen as eligible to run in the election.
- The *Métis Elections Act* binds Métis government.

- It is easier to repair the electoral system then replace the system. We need to deal with the accountability issues and the *Métis Elections Act* to ensure a legitimate election.
- We need to enforce the existing regulations.

3. Need For Proper Management Of Election System

3.1 Need Electoral Commission/Committee

- The electoral commission is inadequate for ensuring a good election.
- An election commission or board should be set up jointly with the government.
- An independent body or election commission is needed that is run at arm's length from the MNS.
- Three Senate members form the election commission.
- A Métis electoral commission and political office is needed, with qualified, educated people selected through a screening process (like CPIC) and working within established professional norms (degree or work-related experience).
- An election committee or commission should be formed.
- An independent election commission with qualified Métis people is needed to run the next election.
- The election commission should be a non-political body.
- There is confidence in people from the local community; they should sit on the electoral committee.
- An electoral committee that combines Métis and government representatives is needed to oversee changes to the system and the election process.
- There should be an equitable representation of Métis people on the committee.
- A temporary election commission is needed to deal with the immediate election issues. Do it quickly and do it right.
- The election commission needs an administrative staff that is non-political, independent, and a tri-partite body. It should be centrally located—perhaps Batoche.
- An election panel or commission should be an independent group of reputable and honest Métis people with the appropriate skills and knowledge.

3.2 Need to Reform the Chief Electoral Officer Position

- The CEO needs conflict of interest guidelines that will be followed.
- We need a non-partisan CEO.
- The Métis CEO needs to have training.
- The CEO did a good job under the circumstances and given the current rules, bylaws and constitutions.

- The CEO should be trusted and have credentials and integrity.
- The CEO should be appointed from outside the MNS from among Métis people who have the trust of the community.
- The CEO office should not be placed in the hands of politicians.
- A non-Métis person who is neutral is needed to run the election.
- This panel should appoint the CEO.
- We need experienced and qualified CEO's.
- Somebody from the local community should be hired as CEO.
- The CEO needs to be independent, skilled, trustworthy, a Métis person, trained, full-time and with an office separate from the MNS Head Office.
- The people under the auspices of this panel should select the CEO.
- A CEO is needed full-time and year-round to ensure enumeration of membership or to maintain a registry.
- The CEO needs to be non-political, supported by an all Métis advisory board that is non-political, can work with the MNS, and has experience and a background in electoral processes.
- The CEO should be a permanent position that is free from politics and has no room for abuse.
- The selection of the CEO should be based on integrity, credibility, independence, full qualifications and a CSIS security check.
- The Senate and MNLA should direct the CEO.
- The CEO should be an independent electoral officer who is qualified to run the central registry.
- We need a CEO who is independent and neutral.

3.3 Need to Reform Existing Electoral Bodies

- The MNS electoral office is not following the constitution by going against the processes that are outlined in the *Métis Elections Act*. This results in neglect and is related to a lack of leadership in the MNS.
- There should be a financial auditor.
- The government should work jointly with Métis representatives to run the elections separate from the MNS structure and head office.
- There needs to be an electoral office with a clear definition of its roles and responsibilities.
- There should an independent election organization.
- In the short term, we should contract out the election to a third party like they do in Alberta.

- In the long term, we need to change the constitution and *Métis Elections Act* to best help the Métis people.
- An Annual General Meeting must be held to select an election and registry committee with proper verification of their credentials. This committee could also be responsible for running MNS affairs until the next election.
- Electoral bodies should include federal and provincial representatives.
- Executive elections should produce north and south presidents and executives.
- We should vote for four executive positions separate from the area directors. This would allow for good candidates who are unsuccessful in executive elections to run in their regions.
- We need to have fifty-eight fair viewpoints presented. Fifty-eight people should be elected to a constituent assembly that would be responsible for electing a new executive.
- We should hire two to four organizers to conduct constituency-based elections.
- There should be a Métis electoral office that is separate from the MNS.
- Government representatives or independent people are needed to support and watch over the election process.
- The CEO and his/her office should be located at an independent affiliate, not at the MNS head office.
- The Métis people could find support from experienced election officials from the other provincial Métis organizations.
- The CEO should be responsible to the MNLA, which should direct an electoral agency.
- A third party should assist with the electoral process.
- Qualified and skilled people are required to run the election.

3.4 Need for New Electoral Bodies/Processes

- An accounting firm or other private entity is needed to run elections.
- An independent body comprised of Métis people is needed to deal with electoral issues.
- Elections should be independently run.
- An independent ombudsman or neutral third party is needed to oversee elections.
- Independence is the key requirement of any electoral body.
- There should be a permanent elections office.
- An independent body should run the election and use the provincial election system, which already has trained officials who could support and provide valuable examples.
- An independent panel of Métis people that includes a government representative should set up an election office.

- There should be a super-board with seven members, selected on the basis of their resumes and qualifications, to conduct an interim process of reform.
- An ombudsman, or similar type of system, is needed to ensure accountability and provide a separate entity that guarantees Métis people fair and monitored elections.
- Trust is important; an election body made up of twelve regional reps, the federal government, provincial government, and the Senate would provide this trust.
- A central election office is needed.
- At least the next two elections need to be conducted by an outside body or by the government.
- For our children's sake, a neutral, independent body is needed to run our elections.
- A neutral and independent body, perhaps an accounting firm, should design a new election process.
- A third party should run the elections and train our people to take over in the future.
- An election committee should have Métis people and members of Saskatchewan Vital Statistics.
- A non-political body should help with the next election.
- We need an independent panel of trained people.
- The justice system and Métis lawyers could guide an independent electoral process.
- We need an ombudsman to address issues of concern and provide opportunities for recourse and appeals.
- We need a separate office with a small staff that administers the elections.
- There should be a panel or committee selected by Métis people that is unbiased, fair and trustworthy. The people on the panel should be able and willing to work with the government.
- An independent electoral agency should be appointed.
- A Métis election agency that conducts elections on a rotational basis through the three provinces should be developed.
- We require an election management committee to run the election.
- We need an independent body to coordinate and run the election for the time being. A combined team of Métis and government representatives should run subsequent elections. This would ensure that we are able to avoid future problems.
- A non-political Métis body should be involved in future electoral processes.

4. Need for Effective Administration of Next Election

- Members and other representatives of government should observe election processes as independent representatives.

- Information requested from head office was never received.
- I contacted the head office to have an alleged member's name removed and the list was sent in four times, but the matter was never resolved.
- The head office is not responsible to the needs and requests of the membership at the local and regional levels.
- Locals need to be allowed to manage their own affairs and not be dictated to by a head office that that does not know us personally.
- Annual reporting would be a good idea.
- The next election must have a good administrative system in place.
- The Métis people should be co-partners with the province for one or two years to ensure that checks and balances are in place.
- There were supposed to be fourteen ballot boxes in the area, but some Locals did not get ballot boxes.
- The polls were supposed to open at 8:00 a.m on election day, but the ballot box was only received at 9:30 a.m.
- The poll clerk and the deputy returning officer had different counts.
- Honest Métis people should be trained by Saskatchewan elections.
- The ballot boxes in WRIIA were mixed up and had to be hand delivered with no compensation.
- The poll clerks did not get paid.
- We need third party involvement.
- The Métis grassroots need to be involved because we know how to run elections. The problem is with the people who handle the voter lists prior to and after the elections.
- I sent in a list of members to head office and the president of the local was not on the list. The people in the registrar's office did not update the lists and really blew it.
- The voter lists were sent in about three times, and when they were finally returned two or three weeks later some of the names had been removed.
- This election, I was instructed to not open the ballot box until 8:00 a.m. the day of the election, then replace the seal and start the election. However, the instructions on how to conduct the election were inside the ballot box. The last election, the instructions were on the outside or some had instructions on the inside. There needs to be consistency regarding the instructions.
- The instructions were okay overall.
- There needs to be a standardized process for pickup and drop-off of ballot boxes.
- If the administration was properly done at the head office we would not need to keep talking about the voter lists.

- The government should appoint DRO's in the interim until the Métis have had time to learn a new system.
- I spent unpaid hours tracking membership changes, which was very frustrating.
- The DRO was related to the candidates.
- The ballot boxes were received four days late.
- The DRO's should be provincial officials who are appointed by the provincial government.
- We need to run our elections like a provincial election.
- We need individuals who possess skills, experience and credentials to oversee the election and related duties.
- Elections should be a controlled, organized and respectful so our children can learn from them.
- We could use a third party of independent people to assist with election day activities.
- We should use the provincial and federal elections people, who are skilled and trained to run the Métis elections.
- In the interim, the Métis people should rely on the provincial and federal governments to run elections and train Métis people.
- I recommend that the government take a lead role in the first and maybe second election to train Métis people, and observe and support the electoral process.
- I contacted the local representative for assistance but got no response.
- We need a timeline for the elections process.
- Some polling stations were in people's houses and the scrutineers felt threatened working in a private home.
- Ballot boxes were not provided in all communities.
- We must have honest Métis people to run transparent elections.
- People outside the MNS are needed to help with elections no matter what race.
- I was given written instructions for running the polling station.
- We need directions at the local level on how to conduct elections.
- The government should handle the next election; we are capable, but there are too many questions.
- Both levels of government should be involved and responsible (but just in the short term) to ensure fair elections.

5. Need For Up-to-date Official Voter Lists and Addresses

5.1 Need for Up-to-Date and Official Voter Lists

- We need a stronger identification of actual voters—dead people should not be voting.

- Voter lists were sent to the provincial office, and were returned with some dead people's names on the list.
- In some cases, status Indian people are voting and that needs to stop.
- Information on membership lists is not updated and there are continuous issues related to getting changes and updates.
- We need accountability, credibility and training in the registry office.
- We need stable funding to ensure accountability, accuracy and updates to the voting lists.
- A proper enumeration is needed prior to the next election to establish the voter list.
- I thought the MNS was working on enumeration, membership cards, and local lists, etc.
- We need a registry and enumeration team that is central and combines Local control to reinforce the legitimacy of Locals.
- The registry is lacking and a voter list is a key priority.
- I sent in member lists three times and three lists were returned with revisions that included deceased people and people whom the Local did not know.
- Locals should update the voter lists.
- A decent registry of voters is required.
- Money was given to the MNS for enumeration and that was never completed.
- Different lists were being used at the Local.
- An electoral list needs to be created from the registry.
- Some Locals were not on the list.
- The Senate was to send out a voter list.
- A proper enumeration system is needed because eligible names are not on the lists.
- We need province-wide voter lists.
- The voter lists received were inaccurate and contained the names of Métis from different regions and were scrambled.
- Something needs to be done because deceased family members have been disrespected.
- We need to take the time to do the voter lists right.
- There is no help from Saskatoon to create accurate election lists.
- All eligible voters must be on the voter list and in the registry.
- There is no problem identifying the Métis votes here because we know everyone, there are no outsiders.

- The voter list was sent in to the CEO at head office and was returned with some members removed. Twenty-two percent of the names on list were doubled or appeared three or four times.
- Local membership was analyzed and 13,000 names were included in the Local membership in this region.
- The Métis voter list needs to be more reliable.
- The Métis enumeration is the number one priority so that we can straighten out the voter lists.
- The local village council should receive money to work on voter lists.
- The voter lists are not accurate and Métis people were excluded.
- The voter lists were legitimate when they were sent in to the MNS, but they were not the same lists that were at the polling stations.
- There is interference and nepotism involved in the voter lists.
- We need some checks to stop deceased people and non-Métis people from voting.

5.2 Need for Timely Provision of Voter Lists

- The voter list needs to be received in advance.
- Each community should have their voter list one month prior to election day.
- We received the list only two days before the election.
- The membership needs time to prepare for voting and there was no advance notice given.

5.3 Need for Updated Addresses of Members

- A proper enumeration list is needed with accurate mailing addresses. Only then could mail-in ballots really work.
- Twenty percent of names were not valid on the voter list because there were no addresses.
- The Locals are responsible for address changes.
- We need a way to get members to update their addresses.
- Many mail-in ballots would be lost if addresses are not updated.

6. Need For Training Election Officials

6.1 Need for Training of Deputy Returning Officers and Poll Clerks

- The DRO's and poll clerks lack essential training. There should be mandatory training prior to the election.

- DRO's and poll clerks need to be screened.
- The DRO was frustrated by a lack of instructions.
- The DRO did not phone in the results.
- Things went well, considering that the DRO had no training.
- We need trained election workers to be watched by a third party.
- There is no capacity for training of polling station workers.
- The government should support and train election workers.
- We need a training workshop on the electoral process for election workers.
- Election workers were left in a lurch and many were unsure of themselves because they had no training.

[illegible] to Provide General Training

- [illegible] levels there should be training so that there are people in charge that can answer questions and be available throughout the duration of the election. This would ensure consistency at all levels.
- Training would eliminate a lot of problems in the long-run.
- Training and systems need to be in place before the next election.
- Provincial and federal election officers could act as a training resource.
- Our officials should have political training and be involved in leadership development.
- We need training and the right people to run a proper, independent election.
- There should be training sessions held in the areas; this would be cost effective and would encourage participation.
- Training would help the local people to become familiar with the bylaws and constitution.
- An independent electoral service should train people to run elections as this would help to change people's attitudes and increase communication.
- We need training dollars.
- People should be trained locally to work on elections.
- The MNS needs a partner from which to learn.
- The Métis can run their own elections if they receive training. In the interim, other people can run the election until enough Métis personnel are trained, skilled and ready to conduct the election.
- We need a financial commitment from the government for election training.
- There was no training for most Locals, and election workers are not prepared and not informed.

- Although the MNS promised training, none was provided.
- There is no money available for training.

7. Need For Creating and Publicizing Electoral Appeal Processes

7.1 Need to Reform the Election Appeal Process

- The current appeal process involves the Senate making decisions and costs individuals $100 to make an appeal.
- An independent body should handle appeals, but I am not sure how this body would be selected.
- The appeal process is not conducted properly.
- The MNLA refused to hear appeals in 1998 and 2001.
- There is no appeal process in place.
- The Senate should not be in charge of appeals.
- We need an independent appeals commission that is well trained and is not tied to any candidates.
- We need to reform the appeal process so that someone other than senators hears appeals.
- Appeals should be done outside the political system with no political involvement, perhaps an individual who is outside politics.
- A separate appeals committee that is unbiased is needed to eliminate current problems.

7.2 Need to publicize the Appeal Process

- The appeal process is very important.
- The appeal system is largely unknown and there is limited information available to members about it.

8. Need For Processes To Prevent and Punish Abuses in Electoral System

8.1 Need for Better Control Mechanisms for Elections

- We need to provide for better control of elections.
- The ballot boxes should be inspected and their seals confirmed by DRO's.
- We should have better ballot boxes and better seals.
- This is not a democratic process when ballot boxes are kicked out and 500 to 600 people's votes are thrown out.
- The government needs to take joint responsibility for the election.

- The head office is not responsible to the membership, to the needs of members, and to the requests at the local and regional level.
- We need an electoral system that is more democratic and maybe modeled after the provincial and federal processes.
- The electoral system must be fair to the grassroots.
- Credible processes will result in credible elections.
- There should be more responsibility at the local level for issues like membership.
- Governments are giving us money but they are not overseeing the outcomes (i.e. the membership registry). Perhaps the government should oversee and advise but not control the election process.
- How do ballot boxes not get turned in or lost?
- The ballot boxes were not forwarded to this community, as promised, and voters were disenfranchised.
- The voters are not meeting the criteria that are presented by the area director at the time of the election.
- Ballot box control is important, but in this election the ballot box was not secured after the election because I had to take it home, then to the bus in the morning.
- Many ballots were not counted even though the box was delivered right to the bus. The DRO's did not want to count the ballots.
- Seventy-nine people were registered to vote, but somehow one hundred and nineteen voted.
- The affiliates were sent the results before the Locals.
- When the ballot boxes were picked up they were already sealed.
- We need to utilize technology to improve the election system.
- The Métis Nation should be the only entity able to call an election.
- Secret ballots at the local and provincial elections are critical and ensure that voting is non-threatening.
- Our votes were deemed ineligible because a video camera was used to tape the sealing of the ballot box.
- There is a lack of good systems in place, such as checks and balances to prevent lost ballot boxes, an accounting for election money, and the prevention of vote stuffing.
- We need to ensure the safety of our votes because there were many spoiled ballots and ballot boxes thrown out.
- The relatives of candidates should not be running the polls.
- We need informal announcements of election results on the night of the election, with formal announcements to follow later.

- Independent and neutral adjudicators and observers are needed at the polling stations.
- There was no official count of who won, poll by poll.

8.2 Need to Prevent Multiple Voting

- Scrutineers need to be able to challenge voters.
- Training is required for scrutineers.
- Voters should be sworn in to vote in order to avoid vote duplication.
- The MNS should be based on one person, one vote.
- The registry should include a number to cross reference with the voter list so that individuals only vote once.
- There should be punch cards when you vote.

8.3 Need for Improved Use of Self-Declaration Form by Voters

- We should bring back the self-declaration option.
- During the last election some people were allowed to sign declarations to vote. I did not refuse any members from voting.
- Declarations are only as good as the person signing.
- We used declarations and it worked for some Locals.
- There was no opportunity to self-declare at the polls.
- We used membership lists and declaration forms.
- A declaration form was used if a name was omitted from the membership list. Members still had to produce a citizenship card in order to sign a declaration form.

8.4 Need to Monitor Movement of Members Between Locals

- There was movement between locals that should be controlled. Members should be required to belong to the closest local.

8.5 Need To Hold Those who Tamper with the Election System Accountable

- Measures are needed to ensure the accountability and credibility of the electoral system.
- We need officials to sign agreements that outline the consequences should something illegal happen, like stuffing the ballot box or any type of tampering.
- A confidentiality clause is needed.
- There should be consequences, such as criminal charges, for tampering with the election.

- The system needs some accountability to deal with those who did wrong. They should be challenged and taken to task by the courts and the justice system.
- There are currently no sanctions in place for those who break the rules. We need checks and balances.
- We must put up roadblocks for dishonesty and people should be held accountable and face criminal charges.
- The DRO's and poll clerks involved with ballot box stuffing and tampering with the lists should be investigated and charged for foul/illegal activity.
- Enforcement of accountability is essential; people must be punished for wrongdoing.
- The Métis elections should follow the Federal Elections Act to bring justice to those not following the rules of fair and legal election processes.
- The 2001 executive should be banned from participating in the first MNLA.
- Witnesses to fraud must come forward so that people can be charged and illegal practices exposed.
- The RCMP should be involved in policing the elections.
- People caught cheating, making offers or anything else illegal should be stripped of their right to run in elections.
- The rules should be changed for the betterment of everyone. Accountability will fall into place when those who have done wrong have been brought to justice.
- Quit cheating!!!

9. Need For Screening Of Workers And Candidates

9.1 Need to Screen Election Workers

- Screening processes are needed for election workers.
- We need unbiased, professional and untainted election workers.

9.2 Need to Screen Candidates

- Candidates need to be screened to ensure that they are accountable.
- Candidates with criminal charges need to be screened. No one with indictable offenses should be allowed to run because it takes credibility away from others.
- Credible and educated people are needed to run in elections.
- More funding would convince qualified, credible and honest people to run.
- Proud and credible leaders with integrity are needed.
- Perhaps candidates should have term limits that require a break of between one to five years before they can run again.

- We need honest, truthful and committed candidates and leaders if we are going to achieve positive changes.
- Leaders should be screened using resumes and security checks (they should be bondable and have criminal record checks/CPIC completed).
- All candidates should undergo training sessions.
- Candidates should have a clear criminal record for five to ten years prior to running because leaders should be role models for the community.
- The nomination process should allow for time for criminal record checks to be completed.
- Candidates should have the appropriate experience, education, skills or training.
- There should be a Métis code of ethics that must be followed.
- Leaders should be elected based on the quality of leadership that they can provide. There should be no favoritism toward certain candidates.

10. Need To Improve Information On Elections and Candidates

10.1 Need for Increased Promotion of Elections

- People are not informed. We should have electronic election information available.
- There is a lack of communication about elections.
- We never received official results of the election.
- The number of potential voters in certain communities is far exceeded by the actual voters, and more people would vote if information were widely distributed prior to an election.
- Lampard's recommendation of an information package and mail-in ballot would help us to make informed election decisions.
- The 120 day notice period should be shortened because it is too long.
- The MNS will not send out the official results from the last election, which were supposed to be sent to the local presidents.
- Many people were not officially notified of the election results and there was no final conformation of the outcome.
- There was no advertisement of the election and no information on the candidates. I did not know who to vote for.
- A debate forum should be held to provide an opportunity to meet the candidates and hear their ideas.
- We need a central source of election information.
- Election information should be shared through local radio.
- There could be little plays staged that give information in the different communities on the election. Money should be set aside for these events.

- A phone-in question period and information sharing session with candidates on TV or radio is needed.
- There was no notice for the election. I found out about it only two days prior.
- We must make sure that people know about the election. This election had no notices posted for the nomination process, the candidates or the election.
- A 1-800 number would be useful in providing election information.
- It is difficult to keep people informed about election details, like advanced polls, and to promote the election.

10.2 Need for Executive Election Forums in Each Region

- If a workshop on elections or local governance were held to educate members, more people would be informed and choose to get involved and/or vote. A workshop could be a means for building trust in the system.
- There should be political parties or groups/slates of candidates and an opposition function that would allow like-minded people to campaign and lead based on defined platforms.
- Election forums would allow us to ask questions and/or have debates.
- There needs to be forums on the executive positions held in each region.

11. Need To Increase Participation In Elections

11.1 Need to Increase Voter Turnout

- There is limited youth involvement because they do not understand the process or have access to information on elections. We need to provide election education.
- Voter turnout was generally limited and many places potential Métis voters/members did not vote. (e.g. fifteen people were eligible to vote but only five voted; only 300 people voted out of approximately 600 Métis.
- There are low numbers of Métis people getting involved in political processes or voting in elections.
- There is a reason why many Métis did not vote—we need to build trust.

11.2 Need to Ensure All Eligible Voters Allowed to Vote

- My membership was questioned at the polls.
- No membership card was required to vote.
- Some Métis people covered by Bill C-31 have membership cards and may still be voting. We need to double check with Ottawa to weed out the people covered by treaty.
- The mail-in ballot system is complicated and there are concerns from illiterate voters.

- On election day, the ballot box contained instructions and sample cards that poll workers were instructed not to recognize.
- Credentials are important at polling stations and some people were refused the right to vote if they did not have them.
- I have not voted in last three elections because I was not allowed.
- Voters were threatened and intimidated, especially young people and students.
- Slate sheets outside of polling stations pressured voters.
- Mail-in ballots would be difficult to contest or challenge.
- There were thugs blatantly intimidating our young educated people, and these actions had no consequences and government has not held them responsible.
- There was voting interference caused by people in the room who should not be there.
- Only people on the voter list should be eligible to vote.
- People who do not have a membership card or do not attend meetings should not be able to vote.
- The scrutineer interfered with the person running for area director.
- Some Métis people were refused the right to vote because their names were not on the list, and at this Local some names were left off the list on purpose.
- People under the influence should not vote.
- Métis people should be able to vote no matter where they live as long as they have a membership card. This would help students, people who travel for work, and elders living in care facilities in the city
- In Green Lake, some members' names were stricken from the voter list.
- Many eligible Métis voters were not on the voter list.
- This election was the second time that our ballot box has been kicked out and we were disenfranchised. The results were kicked out the last four elections. Some Métis people were not allowed to vote.
- All Métis, the grassroots, should be able to vote.
- Voters without ID cards got to vote.
- People were threatened into voting a certain way in front of the polling station.

11.3 Need to Ensure that Polls Are Accessible for Voters

- Many times polls are a long distance to travel (e.g. when polls are located at Elks halls that are a long distance away).
- Transportation is an important issue for Métis voters.
- Perhaps more polling stations are needed to increase accessibility.
- There was no reasonable access to polls.

11.4 Need for Fixed Election Dates that are Well-Publicized

- Fixed election dates are needed.
- Fixed election dates are already in place.
- Election should be held at regular intervals.

11.5 Need for Advanced Polling

- Advance polls are necessary.
- I would use the advance polls.
- Strict timelines should be established for advanced polls.

11.6 Need to Improve Mail-in Ballots

- I do not agree with mail-in ballots like the Lampard Report recommends.
- It is possible to have mail-in ballots with a notary.
- Mail-in ballots present a new set of problems that may be dealt with if there was an independent agency administering the election.
- We need a mail-in ballot system that sends a ballot to each member.
- There should be a central location for mail-in ballots to be collected and processed.
- Mail-in ballots do not work because they lack credibility and provide easy opportunities for fraud, cheating and bribery.

12. Need For a New Voting System

- More proof is needed to show that people are voting because only one ballot box changed the final results.
- We need scrutineers with accurate voter lists and an ability to hear challenges in all regions (even where there are winners by acclamation).
- The scrutineers should be able to provide an unofficial account of the results.
- The official vote count should be conducted with provincial or federal observers.
- The contested ballots should be noted and sent to commission for examination and possible inclusion.
- We should have an electronic voting system with confidential PIN numbers.
- There have been treaty declarations signed by over seven hundred people, but there are concerns about whether they can still vote.
- The voting system should go back to the communities and the heads of families.
- Elections for the Local presidents should be done independently of the area and executive elections.

- We should be able to vote outside our region.
- I am not sure that the north and south need to vote on the same day. Maybe each region should vote on separate days.
- Perhaps we need to look at the Friendship Centre model for our elections.
- An electronic voting system would eliminate any illegal activity and allow us to use technology to track votes.
- We need to examine the federal election card system.
- There should be proportional representation voting for a new assembly.
- The voting system should divide north and south.
- There should be no interference (hassling, pamphlet distribution or bullying) at polling stations.
- I prefer voting at a polling station rather than by mail-in ballots, which have many issues concerning ballot security.
- I am concerned that elders are being challenged at the polls.

13. Need For New Electoral Boundaries

- Electoral boundaries need to be re-drawn.
- The Métis electoral boundaries should be modeled after provincial government boundaries.
- The provincial constituencies provide a more accurate reflection of population.

14. Need for a Party System

- There is no official opposition that could play a watchdog role.
- An opposition party provides concrete checks and balances and important criticism, not like the gossip and innuendo that we have now.
- The opposition style system is a good idea and would allow more voices and new ideas to be heard. It also seems more fair and equitable.
- Establishing a party system may help to ensure accountability.
- An opposition party is a good idea, but we need to know how to form an opposition and how to recruit members.

15. Need for Money to Run Elections

- The government must take some responsibility by putting money into training that will help to ensure accountability and fair elections in the future.
- If the government is going to recognize the Métis electoral process, we need resources to address the recommendations that will be made through this consultation process.

- We are an impoverished nation that is hungry for money to pay scrutineers and other election personnel.
- A lack of resources is the main obstacle to an effective election process.
- Métis elections are always under-funded.
- There has been a lot of mishandling of money, but the Locals still require resources for their membership.
- The government needs to take some blame for the little money that they provided to support the election.
- Elections are typically under-funded and planned to fail because there is no training.
- Some money needs to be provided to Locals so that they can pursue the recommendations for electoral reform.
- The government needs to invest more money to ensure that an efficient and effective enumeration process is completed.
- The government should invest money in the electoral system to ensure change for the better.
- The provincial and federal governments should pay for reform.
- The Métis people need support for managing the electoral system, and more resources are essential to build capacity and establish preventative measures.
- Our elections should be funded properly, just like the federal and provincial governments do for themselves.

C. THE NEED FOR REFORMING THE CITIZENSHIP SYSTEM

1. Need For Reform To Citizenship Registry System

- There needs to be a definition of what it means to be Métis.
- We need an accurate picture of the Métis population.
- We need to define who is a Métis.
- We need to find honest people to run the registry.
- Each Métis person should have only one card to establish membership/citizenship.
- Every Métis person should be a lifetime member.
- If you are born Métis, you should not have to apply for membership in each province.
- The registry is very important.
- We should make sure that the registry is complete and accurate prior to an election.
- There should be no cut off as to who is a Métis. All Métis citizenship should be determined by genealogy, not by blood quantum.
- Every Métis should be registered for life.

- The definition of who is Métis should be defined and followed at the local and provincial levels.
- The definition and methods of determining who is Métis are needed to build the credibility of candidates and leaders.
- The Métis registry should include each person's name, registration number and photo.
- There should be either a national or provincial Métis registry.

2. Need For Independent Citizenship Registry Office And Officials

2.1 Need for an Independent Registration Agency/Office/Panel/Committee

- A lawyer should act as CEO of the registry.
- There should be an independent agency with Métis involvement that allows monitoring.
- There should not be an agency. Instead, money should be given to the Métis Nation.
- The staff should work out of an office and should be hired by an independent panel that would resolve disputes and serve on appeals.
- Citizenship matters require an independent registry body.
- An independent committee, composed of skilled, experienced people should look after the registry.
- The registry should be located outside the MNS head office.
- Two independent people should be in charge of the registry.
- There should be a central registry run by an independent body.
- Because voter lists are manipulated, the registry should be run by non-political agencies that have independent control of voter lists.
- The registry should be independent of politicians, and the CEO officer should be a Métis person selected by the Métis people.

2.2 Need for a Proper Central Registry Office and System

- We need a central registry office.
- We need money for a central registry.
- A centralized registry would ensure that there is one vote per Métis person.
- A central registry may work, but mechanisms to ensure its security would need to be created to prevent tampering.
- The first step is to create a central registry, which we have been requesting for twenty years.
- Independent staff should run the central registry, not politicians.

- The voter list should go through one central registry and should be posted to avoid problems, such as listing people who are not of voting age, the deceased, duplicate names or missing names.
- The central registry should be computerized and should assign each citizen a number for identity verification.
- We need money for an enumeration process and central registry. Other models should be studied for guidance.
- A central registry should be established and administered by an independent third party. The central registry should not be associated with the MNS.
- A central registry would be a good source of information and archival history for Métis.
- A central, province-wide registry should be established at the local level to allow for the mobility of voters like students.
- I agree with the Lampard Report. A central registry, handled by a neutral body, would increase the credibility of the Métis people by freeing us from political influence.
- The central registry should have no political affiliation and be administered by a Métis person.
- In the long term, a central registry and one CEO are needed.

2.3 Need to Relocate the Métis Registry Office

- So long as the registry is run by an independent third party and is separate from the MNS, its location is of little importance.
- The registry should be located at Batoche.
- The CEO registrar should be located at Batoche, while the central registry should be within traditional Métis territory.
- The registry should be located in a central location.
- The registry should be located in an area central to the membership.
- The registry should be located at GDI or at one of its affiliates because they are educational institutes.

3. Need For Improvement To Registration Processes

3.1 Need to Improve Current Registry Practices

- Each Local should keep a database of its membership to correct discrepancies in the central registry.
- The membership lists need to be revised.
- To improve the Métis registry, a picture ID should be required.

- There is a lack of faith in the head office registry due to its lack of time, infrastructure and money.
- The head office registry is a mess.
- Although 200 members are registered, 200 more need to register.
- Approximately two to four years ago, the MNS received money for a registry. Today, we do not know what became of the money because we clearly do not have a central registry.
- The loss of applications has decreased the credibility of the current registry.
- An enumeration should be a priority because the current registry is flawed and needs many changes.
- Métis people need to create a registry that includes Census Canada information and Vital Statistics data.
- Some people have demanded their membership cards from their Local to attend school, but the central registry should issue membership cards.
- In order to be properly enumerated, citizenship eligibility needs to be clearly defined prior to elections.
- Local presidents should have an accurate list of members to be invited to general meetings.
- Citizenship/membership lists should be revised.
- Local residents should not have voter lists.
- The MNS registry is not assisting the effort to compile accurate voter/membership lists. I faxed an updated list to the MNS registry three times because their disc was erased.
- The Saskatchewan Health card should have an "M" on the card to designate my Métis nationality.
- The province provided funds to improve the registry, but there have been no attempts to improve the registry.
- We need a proper and up-to-date registry.
- It is very challenging to keep an updated membership list.
- I agree with Lampard's suggestion that a headhunter should be used to find someone to guide the development of the registry.

3.2 Need for Effective and Uniform Registry Process

- We need a comprehensive registry.
- We should develop a registry institution to ensure consistency across the province.
- We should consult with Vital Statistics for information registered at birth.
- The registry should be computerized to connect province-wide.

- Because Locals send voter lists in to the registrar, they are not frequently updated, which allows the names of the deceased to be used during elections.
- The citizenship application process has to be more efficient and effective.
- The genealogical processes need to be standardized.
- Some people who, for example, gain membership status through marriage cannot vote.
- Potential members should have access to genealogical information.
- We need to develop a master list of all the Métis in the province.
- Genealogical proof, obtained through the Métis Resource Center, should be required for membership.
- An appeal process should be created.
- Applicants should provide proof of eligibility for citizenship.
- We need to know what happens to citizenship applications after they leave the Local.
- Locals should establish province-wide procedures for creating and revising membership lists.
- The MNS should shoulder the responsibility for providing scrip documents.
- We need to decide whether the registry will be national, regional or provincial.
- We need to decide whether provincial registries will be independent of a national registry.
- If rejected by the Local, membership applicants should be able to appeal via the Senate.

3.3 Need for Permanent Registry

- We need to determine whether a usable Métis database exists.
- We need to determine how the registry will be handled during times of leadership turnover.
- The registry should administer the *Métis Elections Act* so that it is consistent with clear roles and mandates.
- Registration should be recognized by organizations and the provincial and federal governments, so that members only need to register once. The Local can then obtain the membership list from either the provincial or federal government.

3.4 Need for Local Control of Registry/Membership

- The Local, which would be subordinate to the regional council, should control membership.
- Local members should screen membership applicants and forward application to the registrar.

- Each community should determine their own criterion for establishing Métis membership.
- Each local community should be involved in developing the registry.
- Each Local should complete its registry within one year, using genealogy to determine membership.
- The registry should be created by using family trees prepared by Métis families.
- Southern communities may experience more problems establishing membership than northern communities, who are more familiar with their membership.
- Local registries should be honoured.
- The Locals should regulate the registry.
- Elders at the local level should vote to determine membership.
- If the elders in the Local do not know you, there should be questions.
- During elections, each Local should have a copy of their membership list to ensure that people do not vote more than once.

4. Need For Citizenship Membership Cards

4.1 Need for Membership Cards

- Membership cards should be required.
- Locals in the south do not provide cards to their members.
- We should have new membership cards with each election.
- Candidates in elections should be required to present their membership cards, just as voters must present theirs.
- There should be a standard membership card recognized by all levels of government.
- In order to prove citizenship, all Métis cards should bear an "M."
- Membership cards should be issued within Saskatchewan regardless of regional boundaries.
- All new citizens should be genealogically verified.
- Many individuals do not have membership cards.

4.2 Need for a Proper Processing of Membership Cards

- There are difficulties issuing membership cards.
- Should you have to transfer your membership when you move?
- Yes, so you can be on the voters list.
- No, it depends on where you consider home.

- The enumeration process is faulty because there is no standard Métis card.
- Post offices could be used to process membership cards.
- While some Métis have difficulty obtaining membership cards, some non-Métis people, such as spouses, easily obtain membership cards.
- Locals should standardize membership processing.
- The registrar's office frequently gives out Métis cards only to recall them shortly thereafter.
- Citizenship applications should be maintained and scrutinized.
- The MNS head office has a backlog of memberships.

4.3 Need for Membership Cards That are Tamper Proof

- We need tamper proof cards, like driver's licenses.

5. Need For Citizenship Ombudsperson

5.1 Need for a Citizenship Ombudsperson

- The ombudsman should have tenure for four to five years until the registration process is revised and finalized.
- We need a full-time, paid ombudsman to examine citizenship issues. The ombudsman should be an independent Métis person who is unbiased, skilled, trained and experienced.

5.2 Miscellaneous Métis Citizenship Issues

- One Local's registry has been updated to include 850 members, something which has not been challenged.

E. THE NEED TO REFORM THE GOVERNANCE SYSTEM

1. Need To Reform Governance System

- We need to study and fine-tune the entire political system before the next election.
- Recommendations should be ratified at the MNLA and AGM.
- The provincial boundaries and executive positions should be restructured.
- The political structure needs reform.
- We need to reorganize from the bottom up.
- We need an accountability framework, better information and improved communication.
- I would like to see a step-by-step reform of the system that responds to the recommendations of the grassroots people.

- A proper system will ensure accountable and fair business.
- Though it is difficult, we must work with the wishes of the Métis people to determine how people will be appointed and what the hierarchical structure will be, while maintaining transparency and accountability.
- The government should be organized locally, through a grassroots movement that allows people to choose the independent body that will conduct the reform.
- Power should be given back to the people.
- We have to reform the system immediately so that it will be ready for the next election, focusing on enumeration, registry and upcoming citizenship requirements.
- We need a new system to give everyone a voice.
- The system needs checks and balances.

2. Need To Reform and Apply Constitution

2.1 Need to Reform the Constitution and Laws

- We need a code of ethics.
- The constitution, which is intended to serve, provide and protect the democratic process, should be a guide for conducting the Nation's business.
- In the long term, we need to establish a Financial Administration Act, checks, and balances, a Freedom of Information Act, and a means to hold politicians accountable. We need to consult with the Métis community with respect to creating and revising these acts, but we also need to work with a team of professionals to design an action plan or blueprint. However, the MNS, as well as the federal and provincial governments, must honour the acts.
- A north/south representative may be needed at the provincial level.
- There should be provisions in our acts and regulations to ensure that legal checks and balances are put in place.
- Métis regulations should be updated.
- Constitutional amendments should be proposed at a meeting of Métis people to take the responsibility away from the Senate.
- Community involvement is needed in constitutional reform.
- Accountability and functionality should be built into the foundation of the reforms.
- Plain language should be used to ensure that elders understand any revisions.
- In revising the MNS Constitution and acts, we should work with the provincial and federal governments to ensure thoroughness, accountability, checks and balances and good governance.
- The present constitution does not carry any legal ramifications for wrongdoing.
- An independent third party should manage the political body.

- I spoke against the *Métis Elections Act*'s processes, not the act itself.
- We need stronger checks and balances for Métis to be accountable.
- Rules of governance are needed and nepotism should not be allowed.
- The revision of the constitution and electoral reform should be addressed at the AGM, not at the MNLA.
- The *Métis Act* needs to be reviewed because it does not recognize individual Métis, only affiliates and institutions.
- I believe in the Métis constitution and that it must be adhered to at all times.
- Acts and regulations should be amended over time.
- In light of recent developments, the constitution requires reform and clarification.

2.2 Need to Enforce the Constitution

- The acts and constitution need to be followed.
- The constitution is only as good as the will to follow it.
- We need someone to enforce the constitution because people are making their own rules.
- We need someone to enforce the rules and regulations.

3. Need To Reform Executive and Provincial Métis Council

3.1 Need to Reform the Executive

- Instead of electing officers, perhaps all regional representatives should form the executive.
- A management committee, elected at AGM should run the day-to-day business of the executive.

3.2 Need to Reform Board

- GDI alumni should increase their involvement in the governance of the board, possibly as volunteers.

3.3 Need to Reform the Provincial Office

- The people in the provincial office should be honest, trustworthy and skilled.
- An independent group should run the MNS office for the interim.

3.4 Need Increased Representation in Executive From South of Saskatoon

- The south is underrepresented.

- We should determine the extent of the south's responsibilities.
- The south needs to improve its communications.
- There should be a Métis provincial president for the north and south.

4. Need To Reform The Senate

4.1 Need to Reform Senate Selection Process

- The means by which the Senate is chosen is problematic and needs to be fixed.
- Senators are nominated/appointed at MNLA.
- Senators should be elected rather than appointed.
- Senators should be from Saskatchewan.
- Senators should be appointed by each local/region for a limited term.
- Politicians should not appoint senators because it creates biases and conflicts of interest.
- Senators should be elected by Métis people at the Batoche meeting.
- Senators should be appointed by the people of the region.

4.2 Need to Reform Senators' Terms

- Lifetime terms raise doubts regarding senators' abilities to make decisions.
- We need to determine whether senators will be elected or appointed and how their terms will be regulated.
- It is wrong for senators to be appointed for life.
- We should discuss the length of senators' terms.
- Though it may be challenging the senators' respect, they should not be appointed for life.

4.3 Need to Reform Senators' Roles

- The Senate should provide support and advice.
- We are running a nation within a nation through the Senate.
- We need to discuss the extent of elders'/senators' authority and power.
- The Métis Senate could be involved in appointing electoral officers.
- The Senate should not run elections.
- The Senate appeal process is not effective because the rules and regulations are inconsistent.
- We need to redefine senators' roles and responsibilities.

- Since Senate appointments, roles, and responsibilities are ceremonial and not political, senators should not form part of the election commission.
- The Senate should not be involved with elections.
- The Senate's management of the registry creates conflict. The Senate should distance itself from the entire process and increase its transparency, accountability and consistency. The *Métis Elections Act* and Constitution need to be changed.
- Although the Senate is a respectable institution, it should not have the final say in elections.
- The Senate should be more ceremonial and take on the role of advisor and leader. The Senate should be respected but not have powers or authority.
- Why have an election? Let the Senate run everything.
- Senators should be working for the people.
- We should abolish the Senate and change the constitution.
- Senators should not be political.
- The role of senators needs to be revised and their political power removed.
- Senators should be knowledgeable of their roles and not be manipulated.
- An independent body should elect the Senate.
- Elders/senators should fulfill their traditional role as advisors.
- The Senate should not be in charge of elections and appeals. It is difficult to remain unbiased. If the responsibilities of elections are removed, senators can deal with appeals more fairly.
- The Senate should be removed from elections, appeals and politics.
- Senators should not have the responsibility of either elections or appeals. Rather, they should act as advisors.
- Senators should not be directly involved in the process.
- The Senate has a duty to the Métis people.
- We need an honest Senate to assist with the reform process.
- Senators should be responsible for their areas.
- Get rid of the Senate.
- Senators should be elected.
- The Senate should not have policy-making powers.
- The Senate should have only an advisory role on cultural matters.
- The Senate should not have power because there is no recourse.

4.4 Problems with the Senate/Senators

- Senators are inconsistent in their answers.
- We do not trust those who oversee the registry.
- The Senate needs to foster an honest environment and encourage integrity in its members.
- There needs to be a means by which the people can question senators. At the moment, only senators can directly challenge other senators.
- We need to establish safeguards against nepotism.
- It is difficult to change the Senate because three senators are in key power positions.
- The Métis Senate is not effective.
- Métis leadership intimidates the Senate.

4.5 Need for Senators to Communicate with Locals

- We need to encourage communication between leadership and the grassroots people.
- We do not know if there is a senator in the north.
- Panel question—what should be the Senate's role? Selection?
    - The process for grievances has changed.
    - Senators need to be visible in the communities that they represent.

5. Need For Special Governance Bodies

5.1 Need for Provisional Métis Council

- We recommend the establishment of a provisional Métis council.
- We need to explore the possibility of an interim management board/structure with provincial support to identify the CEO and enumeration process.

5.2 Need A Special Assembly

- Citizens should call for a special General Assembly in Batoche during the third week of July, instead of the MNLA. A majority needs to agree to, and develop a timeframe for, a new election.
- We are interested in a regional general meeting to give Métis people a voice.

6. Need For Ombudperson

6.1 Need a MNLA Watch Dog

- We need a watchdog at the upcoming MNLA.

6.2 Need New Body/Process

- We need to establish an independent body that addresses complaints and provides a venue for discussions.
- We need a registry management committee.

7. Need To Reform AGM

7.1 Need for Improved AGM Process

- Each Local president should have one vote at the Annual General Meeting to express their citizens'/members' desires.
- We should have training sessions at the AGM, MNLA or area meetings.
- The direct involvement of Métis people at the AGM would be better than the nomination and appointment system at the MNLA
- AGM voting should be conducted by secret ballot.
- We should hold an AGM of Métis people, rather than an MNLA, to give Métis people a voice to speak and be heard.
- The commission/panel should receive government money to coordinate the AGM.
- Either the MNS or AGM should appoint or elect the CEO/registrar.
- An agency should work with the AGM.
- The AGM should be a venue for presenting citizens' concerns.
- Under the *Métis Act*, we should be permitted to have an AGM with a petition signed by 250 people.

7.2 Need for an Annual General Meeting

- We need to have an AGM at Batoche to determine what to do about the election.
- We need a meeting on a non-political basis to explore constitutional changes, for example, to the Senate.
- We need an AGM, not an MNLA, to hear from all Métis people.
- A proper AGM should be convened in the future and some provincial money should be used for its management.

8. Need To Reform Operation and Funding of Locals

8.1 Need to Examine the Issues of Locals

- We need to examine issues involving Locals that are being disenfranchised and dissolved.
- We need to restructure Locals so that they are more stable.

- Local presidents should be responsible for providing their members with consistent information.
- The executive should regularly visit the areas.
- Involvement at the local level has decreased since the 1970s.
- Local presidents should be elected.
- We need to establish local meetings.
- Local presidents should not be involved in regional meetings.
- Locals should be responsible for people.
- We need more easily accessible money for programs.
- We need some assistance with the Locals' political structure and operations.
- We need regular meetings.
- There should be no secrets.
- Because the local community meetings are held by invitation only, there has not been an open meeting in two and a half years. There should be a higher frequency of open meetings.
- The Local system is not functioning well.
- We need change at the local level.
- There is a lack of confidence in Métis' Locals. Citizens have no faith in the big picture.
- The registered and incorporated Locals need to work for the process and people.
- Elders should be involved.
- We need to reform both the Locals and communities.
- Nine Locals in WRIIA alone were invalidated and positions were over-turned.
- Third parties should run affiliates.
- I estimated that there were 2000 ballots for the small Local.

8.2 Need for Core Operating Funding for Locals

- Although the region pays the area director $600/month, the area director cannot fulfill his/her duties as an elected representative on that salary, yet they also cannot work another full-time job.
- Elected representatives should be paid equitable salaries that reflect their work.
- We need more money to develop good governance.
- Money should go into the membership, not the leadership.
- There is little or no money for area directors.

- The Métis are poor and have no resources.
- The money from the government should be given to the areas.
- In the interim, money should go to the regions to ensure that programs and services continue.
- The government needs to devote resources to the Locals.
- Some money should be allocated to the Locals to support their members.
- The Locals need financial support to update and maintain membership lists.
- Locals need a core operating fund.
- Because there is no core funding for their operations, volunteers, who are altruistically motivated, manage the Locals.

9. Need To Reform Relationship With Government

9.1 Need to Examine Working with the Government

- The government needs to take an active interest in building capacity and facilitating access to resources (e.g. land, money).
- The government needs to work in concert with the Métis people.
- The Métis Nation needs to start over, with government involvement and support to reform the election processes.
- We need to determine the role of the provincial government.
- The provincial and federal governments should provide direction.
- The provincial government should take the lead and be involved, but not dictate or stifle the Métis Nation.

9.2 Need to Examine the MNS Financial Matters

- A general auditor should control MNS spending.
- The executive should have to report spending to their communities.
- There needs to be a watchdog for the executive to oversee how money is spent.
- The money should be distributed to the south and the north.
- We should we have a yearly audit of the MNS because it uses taxpayer's money.
- Financial statements should be available to the public.
- Resources need to be made available to implement programs.
- Federal and provincial money should be used for support in addressing our issues.

10. Need To Improve Communication, Coordination, and Training

10.1 Need Better Communication with Constituents

- Many constituents do not know the names of officials.
- We should have question and answer periods.
- Elected representatives should visit communities and hear our concerns.
- Communication between constituents and leaders must be improved as mistrust, disillusionment and apathy is created when information is withheld.
- Constituents are not aware who the area director or senator is for their region.
- A stronger and more effective communication strategy is needed. Perhaps, a communication process can be established through elementary and high schools.
- At the moment there is no communication with constituents, this needs to be fixed.
- In order for constituents to participate in the political agenda and social calendar, communication must be improved.
- In order to be inclusive, the Métis people need to be informed and involved.

10.2 Need for Area Directors To Perform Proper Coordination Function

- The elected area directors should share information at provincial meetings with the Locals.
- Area directors, who act as middle men, are a problem in this region; we should eliminate the position of area directors as it is more effective to deal with government directly as a Local.
- There is no recourse for assistance or support from elected area directors.

10.3 Need for Political Education of Leaders and Members

- We need political and leadership training.
- We need to motivate people to become involved.
- We need processes for political education.
- To increase involvement, we need more information on MNS structures and processes.
- We need to inform our students and youth.
- We need political education for the membership.
- Local members should be familiar with the constitution.
- Our leaders need to undergo wellness programs and need to learn ways of dealing with accountability.
- We need information on the role of the Senate.

- The leadership needs to be educated.
- If we educate the people, our leadership will improve.
- The Métis people need to be familiar with the constitution.
- We need education on Métis culture, political structure and rights.
- Educational workshops should be held in conjunction with the MNLA/AGM.
- Financial resources are needed for conducting political education.

F. FEELINGS OF MÉTIS NATIONS MEMBERS ON KEY MATTERS

1. Feelings of Métis Nation Members Regarding the Nation

- The Métis are a nation within a nation.
- Who are the Métis people? A definition of the Métis people is a concern.
- Our members do not want to be associated with the Nation because of the lack of confidence.
- We need to know each other better to get along.
- There is no sense of belonging.
- We want to be viewed as a respected nation of people that can take care of themselves.
- The youth are our future.
- We need to regain our credibility.
- I take great pride in who I am.
- There are good, strong and educated Métis people out there.
- Identity does not come from membership in an organization.
- The Métis people are capable of handling their own affairs.
- The Métis people are their own worst enemies; I don't want to be Métis.
- It is time for us to work together as a nation.
- We are in a constitutional crisis.
- People have lost interest in the Métis Nation.
- The Métis people have to regain their integrity.
- We must start investing in our communities and our wellness. We are all unwell and do not know what is normal.
- I have a hard time associating as a Métis person.
- The Métis are not a functional society.
- We have to get back to our roots because we have a proud history. We have to find ways to bring the Métis people back.

- It is going to take a long time to rebuild the interest of Métis people in the nation.
- There are credible people within the Métis community.
- There are 46,000 Métis people in Saskatchewan, and only a small group of them are causing all the problems.
- For our children's sake, we need to rejuvenate interest in the MNS because the same people are always doing everything.
- The province cannot decide who we are as Métis people.
- We must re-build the Métis Nation.
- We need to force ourselves into a different way of thinking and get back the passion for the Métis Nation and politics.
- We need to work together more as a nation to gain respect.
- There is remarkable pride among members in the Métis Nation.

2. Feelings of Métis Nation Members Regarding the Electoral Problems

- Things are a complete mess and the provincial government views us as a joke.
- There is much grief and embarrassment over the election.
- There is long road ahead before change can happen.
- We need trust, honesty, integrity and objectivity in our electoral system.
- The election problems are of great embarrassment to the Métis people because it is just a struggle for power.
- It is up to the Métis people to make changes.
- If the election processes were followed in the first place, we would not be in this situation.
- There is always room for improvement.
- This is an ongoing saga with the Métis election process that has finally come to a head.
- I wonder whether there is actually something wrong with the election process or if the problem is that some people do not like what happened.
- All the Métis in the province are being punished for a few people's actions.
- The election was not a fair process and it is good that electoral reform is happening now.
- It is so overwhelming that this is happening.
- The election results were corrupt.
- We are fighting amongst ourselves and missing out on needed programming money.
- As a Métis person, I should be able to vote, but I felt intimidated and inadequate.

- Something went wrong with the process.
- This election did not resemble a provincial election. It is embarrassing.
- There has to be change so that an election can be run right.
- The provincial government should not have taken all the money away because of election problems. In the interim, better arrangements could have been made.
- Those people who got elected fairly should not be touched in the next election because there are some honest people who were elected.
- A fair election with the right people will work, and good people will get involved and run. There are many well-educated Métis people who would want to participate and run if we had fair elections.
- I wonder if this is a bump in the road or a major washout.
- I was disappointed and frustrated with the last election.
- The election problem is a Métis problem that needs to be fixed by Métis people.
- Our problems are related to the election and the leadership.
- If only thirteen people are voting, there is something missing or ineffective about our elections. We need a constituency-based government.
- The Métis elections made me ashamed. The truth is needed.
- The current election should not stand.
- The provincial government funding must remain cut off until changes are made in the election process and a new election is completed.
- The Métis people want to work to solve our own problems.
- The Métis people may choose not to vote if change does not take place because of this process.
- The Métis people need to run the elections.
- I do not like to paint all of the MNS with the same brush because there are many good people who need to be encouraged to participate.

3. Feelings of Métis Nation Members Regarding Other Components of the Political System

- Only Métis people should be involved in reform.
- I wish more members attended meetings.
- The elders and others are angry and embarrassed and do not want to be associated with something that is so dysfunctional.
- We need an overall organizational reform, not just electoral reform.
- We need the will to make the system transparent and honest.

- It is hard to get people involved.
- There is no place for members to have their complaints heard.
- The current system is set up for abuse and misuse.
- The Métis community needs to be changed so a normalized community can emerge. Healthy communities will elect healthy individuals.
- One problem is that we keep secrets, and that is weakening us and making everyone unwell.
- I do not believe in provincial control. I think we need to work on electoral reform.
- We need to make collective decisions.
- Change from the ground up is needed to empower the Métis people of Saskatchewan.
- Politicians are being allowed to speak too long.
- We must build consensus and find common ground that will change the MNS from the current divided camps and divide-and-conquer mentality.
- We should not dwell on the negative but rather focus on the positive.

4. Feelings of Métis Nation Members Regarding Elected Officials

- You get what you pay for.
- People in positions of power are making appointments as part of a power struggle.
- Elected officials should be trained, educated, reliable, trustworthy and qualified.
- Candidates are making deals to ensure that they win.
- We need to stop fighting and clean up the MNS leadership in order for the organization to move forward.
- We have people that could lead but we push them away.
- The higher ups need to be honest and have integrity. Change must start with them.
- After the election, an individual's vote means nothing because we never see our politicians.
- The province needs to be willing help Métis people with the current leadership crisis and hire a lawyer to force a new election.
- We require honest leaders who will not break their promises.
- Elected representatives are supposed to promote our causes and represent us.
- Elected representatives should help us with programs that promote jobs and new businesses because in the north the only options are welfare or to move away for education and jobs.
- The politicians use our names and votes to get elected then they forget about us and treat us like garbage.

- The elected leaders should care about the Métis people, not just themselves.
- Officials should make sense when they speak in public or to government.
- Candidates come here for our votes and then forget about us and do not provide us with any programs or services after the election.
- Candidates come around only during election time and never any other time.
- Leadership is not fair or democratic.
- Provincial leaders provide excuses for not helping the Métis people.
- The wrong Métis people are leading us. They are not reliable or accountable for their actions.

5. Feelings of Métis Nation Members in Certain Regions of Political Marginalization

- Information and recommendations need to be taken seriously from this region
- There are forgotten people, forgotten by our own people
- Southern people do not know the provincial candidates. We need more campaigning.
- Our region is not being recognized
- There is no information or communication as to what is happening in head office
- There is no trust in the MNS and our community does not know where we stand because we are not recognized as a Métis community
- We are used as guinea pigs.
- The Dene-speaking Métis people are left out of the consultation process because no one on the panel speaks Dene.
- The Métis members in the southern region are left in the dark like mushrooms.

6. Feelings of Métis Nation Members Regarding the Political Processes

- There is no accountability.
- Provincial laws should be applied to our political processes, and over time the Métis people will need training and mentorship to learn these processes.
- The Métis people need the tools to run our nation. The government and CEO should monitor, support and guide us for one or two years and then hand the election process back to the Métis people.
- More community consultation and input is needed on issues.
- I would take action and become active in the Métis community if I had more information and education on the structures, systems, etc.
- Positive outcomes are needed from this process in order to engage those Métis people who normally do not get involved.

- We need a system that is representative of our Métis communities.
- The Métis people will gain skills, knowledge and expertise in an effective, transparent electoral system.
- We should change the whole political structure.
- How many times do we have to prove that we are Métis?
- The MNS must be accountable.
- If higher ups do not follow the rules, then why should the areas or Locals?
- The problems with our political system are caused above the Local level; the Local level works well.
- The Métis people need to be involved in a partnership with the government.
- We need an independent person to run our political affairs.
- We need transparency and accountability to move the Métis agenda forward.
- We are at a crossroads of change and need to take responsibility and define what problems exist.
- Do not rush the reform process.
- The electoral process reflects the type of governance that we have.
- The MNLA structure needs to be representative of the Métis people.
- A new visionary process is needed.
- Families have to promote involvement.
- The grassroots needs to get involved.
- I am opposed to the government looking after our affairs.
- I believe in self-government because I was raised believing that.
- Governments have to have accountability; it is non-negotiable.
- We require financial and political accountability.
- There is no consultation process with the Métis people.
- There are some shortcomings in the system that needs to be corrected.
- Nepotism is unfair and should be eliminated.
- We need change for a better Métis future.
- The current processes need to be followed, not just changed as needed.
- The system is a safety net.
- The Métis people should have their own systems.
- There are many Métis people to assist with reform.
- I believe in the political process, but there needs to be some changes.

- We need changes for our children.
- The many flaws within the MNS head office discourage members.
- The members are ashamed and embarrassed because the media only speaks about the scandal.

7. Feelings of Métis Nation Members Regarding the Current State of Political Affairs

- There were fewer challenges in this region because of the internal balances and infrastructure in place.
- We need to continue to operate and meet our mandates without political interference.
- Our current Métis leadership needs political will, leadership skills and a willingness to make changes.
- The younger generation is not taking an active role due to disinterest.
- Government money is being used, and as such they should have a vested interest in making improvements in the Métis political system.
- The Métis people are fed up and want change.
- We should not have funding if we are not accountable for our elections and are not acting in a responsible manner.
- The Métis people are not being heard.
- There are two separate issues being discussed: (1) the system is okay and the problem is the people running things; and (2) the system is the problem and needs to be reformed.
- People are misinformed and kept in the dark.
- The Métis people are frustrated and many are not participating as a result.
- The power needs to be given back to the grassroots people.
- We need to get the current Métis leadership out of the day-to-day business and protect the affiliates.
- Our community has lost all its resources.
- The low turnout of Métis people for elections is because of embarrassment and people are turned off by the system.
- People in the Local are not involved because of a lack of interest.
- There is silence and denial that there is a problem with the Métis electoral system.
- It is difficult to recognize the current leaders as legitimate given the discrepancies of the last election. We cannot rely on them, so something needs to be done by the Métis people.
- Clean up the MNS!
- Many voices have been silenced and intimidated from speaking out.

- I recommend that the MNC not recognize the current Saskatchewan executive and/or Provincial Métis Council (PMC) as the true leadership in Saskatchewan because the Saskatchewan Métis people are not recognizing them as the leadership.
- Our election, community and leadership are not well because there is rampant alcohol and drug use and our community is in crisis.
- People are acting jealous instead of helping each other; we crush one another.
- It is a dysfunctional situation where we have become dependent on government money to survive.
- The MNC should look after current political issues because they have some legitimacy.
- Accountability and controls must be put in place.
- This is our last chance.
- We have to decide between recognition and freedom versus money.
- The Saskatchewan government should not run the Métis Nation.
- We need a collective vision by the Métis people.
- It is sad to see everything on hold.

H. COMMENTS ON CONSULTATIONS & REPORTS

1. Comments on The Panel/This Report

- I hope that something comes out of this review so that change can occur at the local, regional and MNLA levels.
- Where is this report going to go?
- We need to provide both short and long term solutions to the minister.
- I am suggesting that the panel support the building of a long-term strategy for the Métis people.
- In the short term, upon completion of the report there should be a request for a new election before September 30, and if the so-called executive does not want to comply with this election the provincial government should start to pull back on provincial arrangements, but still protect the affiliates. The MNS and provincial government need to work together to find a solution.
- We should consider the recommendations of this report to choose who will run the next election.
- Perhaps this panel should select an independent third party.
- One of your panelists did not want to participate because of a conflict with the community.
- This panel should appoint Métis people to oversee the next election or somebody like this panel.

- This panel was set up because of the corruption in the system.
- The panel should appoint the initial people to run the election.
- There should be a community response to this report.
- There was only a short time to get people out to the consultations.
- I am relieved to see this panel.
- We need to take the reports and reform forward and make sure that it does not sit on a shelf. We need the recommendations to be followed through.
- The government must act on the recommendations of this report.
- Money is being wasted on reports and panels.

2. Comments on Previous Métis Reports

- The regional council accepted the Lampard Report and a motion was sent to the Minister.
- There were motions made from regional councils and elders that accepted the Lampard Report, and a letter was sent to the government.
- The Poitras Report's recommendations are good and should be considered.
- We should be provided a copy of the conciliator's report so that it can be used as supporting documentation.
- The Poitras Report and the Lampard Report speak to similar irregularities and issues.
- The irregularities defined in the Lampard Report are no longer gossip.
- The Locals would like copies of the Lampard Report and other documents.

Appendix 1.5: Overview of Each Community Consultation

The following is a summary of the twenty-four public meetings held in communities across Saskatchewan. The information presented has been extracted from two sources: notes taken on a flip chart during the meetings, and the verbatim transcripts of the consultations. The purpose of this Appendix is to present a brief summary of the diverse thoughts, feelings and comments expressed by approximately 700 Métis individuals who attended the meetings.

February 11, 2005 - La Ronge

This was the panel's first public meeting. Although attendance was low, participants explained that they were participating in the consultation process as representatives of their families and other Métis in the region. There was consensus amongst participants that change to the Métis Nation electoral system and to other organizational systems and processes were needed. It was stated that the Elections Act and governance issues cannot be separated and that both need to be reviewed. It is believed that there are challenges within their region with respect to membership and the acceptance of Métis people who are new to the community and want to join the Local. Participants stressed that the Métis Nation and its elections have been grossly under-funded, and that there is a need to build capacity within the organization, including a more effective communication strategy. There is also a need to train election workers and to incorporate checks and balances into the process in order to ensure a fair and democratic election. There is an additional need to update the enumeration process. A suggestion was made to hire an individual on a full-time basis to work on enumeration and registration. This person would be an employee of an agency that is non-political and at arm's length from the governing structure.

February 12, 2005 - Prince Albert

Participants at this meeting stressed the need for reform in order to clean up the electoral system, to regain honour, accountability and integrity for the future of the Métis Nation. Participants stressed a need for advance polls and a means of ensuring the safety of their votes so that their voices are heard. There is a need for an independent third party to oversee and run the next two elections, at the minimum, in order to avoid abusive behaviour, oppression, manipulation, nepotism and fraud. There also needs to be a more effective screening of electoral candidates, which may include security checks. Leadership should be educated and qualified and elected based upon the quality of their leadership skills. Government must allocate more resources to ensure adequate training and support for election officials, completion of a comprehensive enumeration, and establishment of a central registry. Participants also stressed a necessity to remove the Senate from its political capacity. Participants felt that, as respected elders, senators should not be directly involved in the election process, but rather should play an advisory role within the Métis Nation. They also suggested that a Métis Code of Ethics and Rules of Governance needs to be created and implemented, and that government must act on the recommendations of this report.

February 17, 2005 - Saskatoon

Participants at this meeting stressed a need for electoral reform, and that Métis people should take a lead role in the process, with provincial and federal governments overseeing and providing support. The election process needs impartiality, checks and balances and punitive measures in place in order to avoid corrupt practices. It was stressed that the MNS Constitution, acts and regulations need to be reformed and followed consistently. The MNS needs to be reformed from the ground up in order to rebuild the Nation. More resources need to be allocated to elections, and election personnel need to be properly trained because ballot boxes have been thrown out, silencing entire Métis Locals. Métis people need to feel confident that their votes count. Advance polls should be set up and unofficial announcements of winners should take place on election night, with official results to follow immediately. There is a need for a comprehensive enumeration and a central registry because voter lists are incomplete and inaccurate, excluding some Métis people. Batoche was suggested as a location for the registry as it was a central location within the Métis homeland. Participants also stressed the necessity of removing the Senate from its political capacity. Participants felt that as respected elders, Senators have too much political pressure placed on them, and that they should not be directly involved in the election process. There is also a need for an ombudsman or similar agency to hear complaints and bring issues forward.

February 20, 2005 - Duck Lake

Participants felt that the MNS electoral system needs to be reformed. Regulations need to be put in place and enforced to avoid irregularities, and the *Métis Act* needs a provision that would ensure that there are consequences for wrongdoing. Participants suggested creating a management committee to run affairs in the interim, including electoral reform. This committee could be selected at an Annual General Meeting. They also suggested a need for a grievance process, similar to that of an ombudsman. The Senate should take a more active role in regional activities and should play an advisory, not a political role. There is a need for a central registry that is independent and separate from the MNS and staffed by a full-time Chief Electoral Officer (CEO). Discrepancies in voter lists excluded many Métis people from the elections process. These discrepancies could be corrected by a comprehensive enumeration and the creation and maintenance of an accurate voter list. The participants stressed the need for Local autonomy, and suggested that Locals could provide support to the elections process. As well, the Locals could potentially play a leadership role in the enumeration process. However, Locals need more resources if they are to be responsible for updating and maintaining membership. Elders, heads of families and the community should also have a role to play in the membership application process. More money needs to be allocated for elections training, communication needs to be improved and elections must be better advertised. Participants also suggested that mail-in ballots have the potential to be a good idea, but many were concerned about the possibility of fraudulent activity.

February 25, 2005 - Moose Jaw

Participants stressed a need for reform. Election workers in the previous election were not properly trained or prepared. The election was not adequately advertised, which suggested a need to improve communication within the regions. The lack of communication regarding the election resulted in limited access for participation in it, as well as low voter turnout. Many were also unable to vote because voter lists were inaccurate and they did not have membership cards. For many who live in out-lying communities, transportation and travel to the polling stations proved difficult. Advance polls could help to alleviate this, but participants stressed that they question the reliability of mail-in ballots. Electoral reform should include checks and balances that would alleviate polling station interference such as hassling, distribution of campaign material and bullying. The enumeration process should also be reviewed to ensure that all legitimate members are recognized and have a chance to vote. Locals and elders should have more responsibility in the enumeration process, and the genealogy of potential members should be better reviewed. More resources need to be allocated to the Locals to support the enumeration process and maintenance of accurate membership and voter lists. These resources would also support the creation of a central registry of Métis people. A panel or committee selected by Métis people should be established to work with government on the reform process. This committee would include unbiased, fair and trustworthy Métis people with nothing to gain from the process. It was suggested that other provincial Métis governance models should be considered as models for the reform process. Lastly, it is felt that there is a lack of communication within the Nation, which has resulted in many in southern Saskatchewan feeling that they are being excluded. It was suggested that regional representatives should work more closely and effectively with the Locals rather than the executive.

February 26, 2005 - Assiniboia

There was consensus that electoral reform should take place based on the visible discrepancies that have occurred in recent and past elections. It is imperative that there be training for election personnel and that scrutineers should always be present. However, it is felt that smaller communities have fewer problems with membership and eligibility of voters compared to larger centres. Despite this, MNS head office needs to assure the accuracy of voter lists and provide resources to Locals to maintain those lists. There is concern that there is too much distance between polls because many have to travel up to forty minutes to get to a polling station. Advance polls are a necessity. There is a concern that there is a lack of communication between provincial, regional and local MNS offices and that the southern regions are being excluded from the business of the Nation. Members need to be better educated on the MNS Constitution, acts and regulations, and information has to be more effectively communicated from the MNS head office. People are concerned that their senator does not take an active role and that many do not know what the Senate's role is or who serves as senator for their region. The Métis Nation needs an independent body to coordinate and run elections, with government playing a supporting role. Checks and balances need to be put in place to prevent corruption. Leadership that is guilty of wrongdoing should be held accountable. There is a need for an unbiased, impartial, skilled, trained and experienced ombudsman. Through electoral reform, skilled, knowledge and educated Métis people should be encouraged to participate in the Nation's business. There are many good Métis people who need to be encouraged to participate in the process, and that all Métis cannot be "painted with the same brush."

March 9, 2005 - Archerwill

It was unanimous among those in attendance that electoral reform is needed. The MNS head office is not responsible to either the membership or the needs and requests at the local and regional levels. Processes are needed to ensure credibility, responsibility and accountability. When ballot boxes for 500-600 people are thrown out, the process is no longer democratic. There is a need for honesty and integrity, as well as a need to recognize and address loopholes in the Elections Act. Candidates running in elections need to be screened prior to running, including criminal checks. There is a need for a proper enumeration prior to elections, with sufficient accountability within the registry office. An election committee or government and Métis representatives should observe and oversee the election process. The election committee should be non-political to ensure a credible process and election. The federal and provincial governments need to take responsibility and provide money for training to ensure accountability. There is little confidence in the Senate's ability to be effective in both the appeal process and its role in overseeing the registry. The Senate's appeal system is ineffective, and its rules and regulations are applied inconsistently. Finally, the information and recommendations of this report needs to be taken seriously. The community does not want this done just to appease government, but want their voices to be heard.

March 10, 2005 - Nipawin

Participants agreed that change is needed. The Regional Council passed a motion at their last meeting accepting the findings of the Lampard Report, and forwarded a letter stating this to government. Based upon the experiences of past elections, checks and balances need to be put in place to ensure repercussions for wrongdoing. Educating election workers as to the rules and regulations should be provided. Advance polls are necessary. Voting could be done electronically by using a personal identification number. The internet could also be used to publicize elections and educate the community on candidates and their campaigns. The Senate should not run elections. Its roles and responsibilities should be re-defined and limited to support and advice. It should not act in a political capacity. There is also a need for a comprehensive enumeration and a clear definition of "who is Métis." Due to discrepancies in membership lists at the MNS registry, each Local should take care of its own membership, forms, cards, etc. Locals should set up their own database of membership. Participants suggest creating an Electoral Committee made up of equitable Métis representatives and government representatives to oversee changes to the system and election process. There is a need for trust, honesty, integrity and objectivity in electoral reform. This committee could be temporary in order to deal with immediate issues, act quickly and "do it right." There is also a need for a registry and enumeration team that is central and controlled by the Locals.

March 11, 2005 - Cumberland House

Participants were in favour of reform as long as Métis people made the changes and directed any reforms. Those who did wrong in the past should be held accountable, challenged and "taken to task" for their actions. However, it is acknowledged that there are some good, proud and credible leaders within the Nation, and there is a definite need to respect the Nation's Constitution, Elections Act and processes. There is already a process in place for change to the system. There is also a need for an independent registry and CEO who is not affiliated with or connected to the politicians. This person should be Métis and selected by Métis people. An accurate comprehensive voters list and central registry is a priority. Resources need to be allocated to ensure a proper electoral process. A mail-in system is complicated because many are illiterate. There is a lack of communication between provincial, regional and local MNS offices and the definition of "who is Métis" is a concern. Métis people with Bill C-31 status and those who have recently signed declarations to become Treaty Indians may still be voting. There needs to be clarification by Indian Affairs on who is Treaty and who is not. There is a lack of faith in the MNS head office Registry because of a lack of infrastructure and funding allocated to this office.

March 12, 2005 - Melfort

Reform is needed because problems with Métis elections have become an "ongoing saga" that has come to a head. There are currently no sanctions in place for those who break the rules, leaving all Métis people to be punished for the actions of a few individuals. Change is necessary and checks and balances need to be put in place as many elders and other Métis do not want to be associated with an organization that is so dysfunctional. People are angry and embarrassed. An independent election panel or commission made up of skilled, knowledgeable, reputable and honest Métis people needs to be established. Elections could potentially be tendered and contracted out. Change to the enumeration system and registry is a priority because the current process is flawed. Membership should be one citizen with one membership and one card. Training is needed prior to the election for elections officials and more attention must be paid to youth and leadership development. A screening process for elected representatives needs to be put in place and a set of professional norms developed so that they could then be paid equitable salaries that reflect their qualifications and work experience.

March 17, 2005 - Regina

Participants stressed a need for reform to the system because Métis people are being refused the right to vote and entire Locals are being disenfranchised and dissolved. Voters are feeling threatened and intimidated, especially youth and students who do not get involved. People are not being held accountable for their actions. As a result, the system needs more than electoral reform, but also organizational and governmental reform including the restructuring of regional boundaries and executive positions. There is a need to increase communication, raise political awareness and get youth involved. GDI/DTI Alumni should be encouraged to get involved. Enumeration and a central registry is a priority. Locals need more resources to maintain membership records and voter lists, and training is essential for election personnel. The Senate should not have a direct role in the elections as their role should be advisory and ceremonial, not political. An independent electoral system or monitoring agency, as well as an ombudsman agency, should be established to keep the system accountable. As well, a code of ethics must also be established. Participants suggested the selection of a seven-member board based upon qualifications as an interim measure during the reform process. They also suggested the use of municipal, provincial and federal models or traditional forms of Métis governance, such as a "heads of families" model. Many stressed the importance of recognizing that Métis identity does not come from membership in the organization but from community acceptance. Métis people are capable of handling their own affairs, but government has a vested interest and therefore should have a role to play. Government should work in concert with Métis people and should take an active interest in building capacity and facilitating access to resources.

March 18, 2005 - Fort Qu'Appelle

Participants agreed that reform is needed because the current MNS is not following their own constitution and Elections Act. The constitution is only as good as those who will follow it, and currently the MNS is going against their own process. This breakdown has resulted in neglect and a lack of strong and effective leadership. There is a need for leadership that is honest and has integrity because there cannot be a strong organization without it. Membership needs to be better educated on the MNS election processes and communication needs to be regular because the southern Locals feel left out of the organization. Training and educational sessions could be held at the Annual General Meeting, the Métis Nation Legislative Assembly or at area meetings. Holding these sessions at area meetings would be cost effective and help encourage participation in the organization. Youth need to be encouraged to participate and must be educated and trained to become future leaders. Membership should be the responsibility of the Regional Councils and supported by the Locals. A comprehensive central registry must be kept away from political interference, and an independent body must run elections. It was suggested that the provincial system should be considered because their staff is already trained. Electoral lists should be created and updated by the registry. Staff of the registry office would be hired by an independent panel of Métis and government representatives and could also resolve disputes and serve on appeals. Membership should be both for life and transferable to other provinces. One should not have to reapply upon moving to another province. There should be one type of Métis card that is recognizable by all levels of government.

March 19, 2005 - Yorkton

Change is necessary and those guilty of wrongdoing should be held accountable. There should be consequences built into the constitution and acts. The same consequences built into the Canadian Elections Act should apply to MNS elections. Elections officials need to be properly trained and should not be allowed to intimidate voters. Senators should not be involved in the election process, but rather should hold advisory roles and be cultural leaders. Senators should not have any judicial power and they should be elected, not appointed, by the region. Métis people should have the power to remove a senator for failing to fulfill his or her roles and responsibilities. An independent third party or an auditing firm should be hired to run the elections. If there are discrepancies in the election, there should be an immediate follow-up election. There needs to be a good set of election laws that could possibly follow the model of the federal and provincial electoral laws. A Métis Commission, made up of Métis people and government representatives, is needed to oversee the election, and a third party is needed to run the election. There needs to be greater education for all Métis people on MNS processes. More youth need to be encouraged to get involved.

March 29, 2005 - Biggar

Participants felt that there must be change, and, for the interim, an independent third party, with Métis representation, should be involved. This party should run the election and be separate from the MNS. They could also oversee the enumeration, registry and voter lists. There should be no conflict of interest with this office, and their roles and responsibilities should be clearly defined. A new election should be called before September 30, 2005, and provincial and federal governments should work together to protect the affiliates. For the long term, changes should be made to the constitution and other acts to help Métis people incorporate checks and balances into the process, and a formal registry institution or affiliate should be developed to ensure that the registry is consistent across the province. The Métis community should continue to be consulted regarding the reviewing of and revisions to the MNS processes, and they should work with the provincial and federal government or a team of professionals to design an action plan for change. There is a conflict of interest in having the Senate involved in the registry and election process. Those in charge of the registry and the election need to be at arm's length, transparent, accountable and consistent. The role of the Senate should be respected, but it should not be in a political position where senators act as both "judge and jury." They should be advisory leaders who are respected, but without the powers of authority. Métis people need to be involved at a General Assembly. People need to be held accountable and charged for their wrongdoings.

April 1, 2005 - North Battleford

Participants agreed that change is necessary. A proper enumeration system is a priority and deceased relatives should be removed from the registry. Deceased relatives have been disrespected and a ceremony of some kind should be held to rectify the harm done. The role of the Senate should be revisited, altering its function to ceremonial and cultural matters and providing advice, not political issues. Local or regional meetings with Local presidents are not being held. Local presidents are not being elected, but appointed. There is a need for a province-wide voter list and a central registry to avoid confusion and inaccuracy with lists. Many local representatives spend numerous unpaid hours tracking and updating membership lists only to have inaccurate lists returned to them from the MNS registry. The importance of looking to Métis genealogies was stressed. There is a need for skilled, experienced and independent people to run elections. An Annual General Meeting must be held to select an educated and qualified election and registry committee to run MNS affairs until a credible election is conducted. This committee should include Métis people, as well as provincial and federal government representatives. Anyone involved in illegal activity should be charged and held accountable.

April 2, 2005 - Lloydminster

Participants stressed the importance of reform and the importance of maintaining and protecting the MNS affiliates. There is a need for a comprehensive enumeration that must start at the community level. The Senate's role also needs to be addressed. The MNLA structure does not work because it takes the voice away from Métis people, and area directors do not adequately represent the Métis people. The MNS needs to set priorities for the next election which include training and education for those that are running the elections. An independent and neutral agency is needed to run the elections in order for them to be responsible and accountable to Métis people.

April 7, 2005 - Pinehouse Lake

There are some honest leaders who were elected fairly and they should not be removed if a new election is held. There is a need for an independent body of people to oversee the election. Elections should be controlled, organized and respected in order to serve as a role model for the youth. There is a need for more information, more effective communication and an agency to hear complaints. Voter lists should go through one central registry to avoid inaccuracies and problems. All eligible voters must be on the list and the registry. Each individual should have a citizenship number that is computerized and verifiable. Election workers need to be adequately trained and supervised by a third party and with a CEO who is independent, skilled and trustworthy. The CEO should be Métis, full-time, trained and in a position separate from the MNS head office. Métis people are poor and need resources and support from the local political structure. Locals should be involved in the registry and should hold regular meetings. There is a need for a northern and southern provincial representative in the executive because "they use our names and votes to get elected then they forget about us and treat us like garbage." The provincial government should not have withheld funding; they could have made better arrangements for the interim so that grassroots people are not affected. The province needs to take some responsibility for the election because of a lack of resources provided to support the election. Elections and local governance workshops should be held to educate people and encourage more people to get involved and/or vote. There should be security clearance checks for candidates, an opposition party, debates and groups of like-minded people who state their platforms and actively campaign. Not all were in favour of reform, even though many elected representatives have broken promises.

April 7, 2005 - Beauval

Participants suggested that an independent third party assist with the election and that the voter list and registry needs to be reformed. There is a need to utilize the available technology to improve the election system, with people educated and trained to run elections. Elections for the executive should be separate from those for area directors as this would allow strong but unsuccessful provincial candidates to run in regional elections. Southern communities have more trouble with their membership than northern communities because of greater familiarity in the north. There is a need to increase communication because mistrust, disillusionment and apathy is created when information is withheld. Lifetime memberships should be granted that allow a person to vote no matter where one lives as long as one has a valid card. There are problems with membership and voters lists. The Local analyzed membership and voter lists in the region and found that submitted lists were returned with names removed. Names appeared three or four times, and invalid names and addresses were listed. Those involved in wrongdoing should be charged and held accountable. There should be provisions in the MNS Acts to ensure that legal checks and balances are in place. There are many educated Métis people who would become involved if the system were transparent and accountable.

April 8, 2005 - Ile a la Crosse

Participants supported a new election for area directors and executive, as well as a need for an independent body to oversee the electoral process. Enumeration and a central registry are the main priorities, but the process should not be rushed. It is wiser to take the time to think through the reform. Perhaps the process should be reformed to be parallel with the provincial and federal election system to ensure that it is fair and non-partisan. The *Métis Act* should be reviewed to ensure that provisions are in place so that the Métis can move forward. Elections have been under-funded and planned to fail. No training has been provided for election personnel. Northern communities know who the Métis citizens are and who is eligible to be on the voter list but this challenges southern communities. The Senate should have less control and should not be in charge of elections or appeals because it is hard to be fair and unbiased. The Senate currently has too much responsibility and authority with the elections and should be limited to dealing with appeals. Others believed that the Senate should only play an advisory role. Senators and elders should be used in an appropriate way, i.e. in an advisory and traditional role. There should be a special Annual General Meeting at Batoche of all Métis people instead of only the Métis Nation Legislative Assembly in order to make amendments to the constitution. Local presidents have accurate membership lists of who is to be invited to this meeting. Participants recommended that a panel or commission be set up to receive government money to coordinate an AGM.

April 8, 2005 - Buffalo Narrows

Participants agreed that some changes should take place and that leaders should be role models and have to undergo security checks prior to standing for election. If convicted of fraud or any wrongdoing, they should be held accountable. There should be advance polls, a comprehensive registry and enumeration. The Senate should not be appointed by politicians because of biases and possible control issues. Métis people at the regional level should elect senators. As well, the senators' role should be limited to that of advisor. Government needs to invest more resources into the enumeration process. There needs to be more money allocated to reform, and to ensure that a fair and accountable election is completed. An interim management board at arm's length from the MNS could potentially run the electoral system.

The recommendations of this report should be considered before selecting who will run the next election. The interim management board, with provincial support, would identify the CEO and complete the enumeration process. Accountability and functionality needs to be built into the reform.

April 9, 2005 - La Loche

Participants agreed that a new election was necessary. They felt that they are not being recognized by the MNS as a Métis community and have little confidence in the MNS to represent them. Leaders should be role models, not bullies. There is a need for training in La Loche. Currently, programs and services stop at Buffalo Narrows. People in La Loche feel like they are constantly being used as guinea pigs by the MNS and by politicians in Buffalo Narrows. Candidates come to the community for votes, then "forget about us, and don't provide us with any programs or services." This is the second time that La Loche has had their ballot box thrown out, silencing their voice. In this election, their ballot box was sent to Buffalo Narrows to be counted while some communities did not even receive ballot boxes. Communication needs to be improved, as there was no notice of the most recent election until two days prior. The appeal process was not carried out properly. There needs to be an independent ombudsman or office to hear concerns and appeals. There needs to be an independent third party to run the election. Dene-Métis people are left out of the consultation process, as no one on the panel is a Dene speaker. Dene-Métis recommend that the MNS establish a Dene-Métis region in order to address issues specific to Dene-Métis communities.

April 10, 2005 - Meadow Lake

Participants felt that change is necessary as the electoral process and problems reflect the type of governance that we have. The current system is set up for abuse and misuse, and silence and denial is a problem with the Métis electoral system. This needs to be addressed. In Meadow Lake, many Métis were not allowed to vote. The Local system is not functioning well. The provincial system of municipalities would more accurately reflect the population, and provincial and federal election systems could be used because their staff is already trained. The *Métis Act* needs to be repealed and amended, and an enumeration needs to be completed prior to a new election. There is a need to establish a central registry that is independent and run by a neutral third party not associated with the MNS. Grassroots people should choose this third party as this would give the power back to the people at the community level. There is a need to work with the provincial and federal government to revise the MNS Constitution and acts so that they are more thorough and accountable. Provincial and federal governments should pay for these reforms. There is a need for good governance with checks and balances in place. The federal and provincial governments need to devote more resources to the electoral system, take a lead role in the next election and train Métis people. Government should then oversee and support the following two elections. There should be an Annual General Meeting instead of a Métis Nation Legislative Assembly in order to give Métis people a chance to speak and be heard. Voices have been silenced and intimidated. Perhaps regional instead of provincial General Assembly should be held. It is difficult to recognize the current leadership given the discrepancies in the last election and the community cannot rely on them. Participants recommended that the Métis National Council not recognize the current Saskatchewan executive or Provincial Métis Council as the leadership of Saskatchewan Métis people because the community does not recognize them as leadership.

April 10, 2005 - Green Lake

In Green Lake, the panel attempted to hold a public meeting but was locked out of the meeting location. As a result, the panel was unable to hold a formal public meeting. However, the panel did meet with several Métis at another location in the community. Participants indicated that the MNS suffers from many organizational problems, including a dependence on government money to survive. There needs to be a better means of dealing with accountability. There is a further need to create a system as soon as possible in order to deal with the next election, enumeration, registry and citizenship. Financial and political accountability and controls need to be put in place. Howevever, it is important that all reforms are mindful of the importance of safeguarding the autonomy of the Metis people in the future.

April 11, 2005 - Debden

Participants agreed that the flaws in the system need to be addressed and the system needs to be reformed. There is a lack of communication and lack of information being given to the community. People at the local level are unsure as to who is their area director or senator. Many are not educated on the role of the Senate. There needs to be checks and balances in place and an overhaul of the entire electoral system. Participants suggested a regional general meeting rather than a provincial meeting. A regional meeting would encourage more participation and provide the Métis with a stronger voice. The MNS Registry Office needs to provide support and assistance in compiling accurate voter and membership lists. Training needs to be provided for election officials. The central registry should be independent and province-wide. Locals should provide information for the registry. Candidates should be screened with CPICs, be experienced, educated and trained. The appeal process needs to be reviewed and advance polls are necessary.

Appendix 2.1: Summary of Recommendations in the Poitras Report (2001)

Electoral Reform Study:
A Review of the Election Issues for the Métis Nation of Saskatchewan

Prepared by Marilyn Poitras, (LL. B, LL. M), 2001

The following is a list of suggested recommendations and changes to alleviate historical problems within MNS elections.

I. RECOMMENDATIONS DIRECTED AT THE MNS

(a) Recommendations on Citizenship

1. The definition of who a Métis person is, is defined in the Métis Constitution as lasting for life. A constitution is the foundation of any government and this aspect of the MNS Constitution should be achieved to ensure consistency, reliability and faith in the citizenship.
2. Create a process by which all the MNS Regions of Saskatchewan can have a forum for defining not only who Métis are, but a concrete role for MNS. This may be a central conference, it may be regional workshops or it may be several workshops in larger centres, providing access to all.
3. Clarify aspects of required documentation required for application purposes. Determine what minimal amount is required and what "additional information" is for the Registrar.
4. Create a central registry which cannot be subject to change by presidents, regional directors or any one else for political reasons. This system should have the ability to track local membership lists, voters' lists, and regional lists. It should be designed to be updated for change of address, marriage birth or death at one central location. This will be an involved and slow process. The starting point for this system could be compilation of the existing information from the 2001 election with the addition of any other names form the Locals. Application forms for those people not registered should be readily available for distribution and completion. Mail outs, phone rosters, door to door enumeration or any combination thereof are all possible avenues to explore in the creation of the membership list.
5. Remove the Central Registry from the political process by leaving the control of it with a neutral body.
6. Re-examine the use of Declaration Forms, particularly until the Registry is functioning. The Declaration Forms could require inclusion of all information necessary to apply for membership. This makes the process less inviting for those who are not actually members.

7. Issue MNS membership cards with photos, name, date of birth and an identifying number (Saskatchewan Health Number or SIN) to avoid problems with people having the same names or moving. This would assist in portability of membership.

(b) **Recommendation on Elections**

8. Examine the Role of the Senate, a non-elected body, in the structure of the MNS. Although the MNS and the MEC see themselves as quite separate, the membership does not. Further, the membership feels that as the Senate takes on more power and control, this is extended to control over MNS executive. The Senate is appointed for life and plays a significant role in the decision making.
9. Establish clear Conflict of Interest rules which eliminate any possibility of bias for election processes. This legitimizes the executive, the election and the commission.
10. Establish an elections office which has the time and the resources to run a competent election. Key to this is to keep it at arm's length from the MNS.
11. Establish consistent dates for provincial and regional elections to reduce problems and assist in ability to advertise minimally. Also, set a date for presidential elections for each local in order to ensure those occur every 3 years and to eliminate the arbitrary recognition of certain locals or of certain presidents.
12. Review legislation and regulations for proper enactment and for clarity.
13. Establish training procedures for elections officials which are consistent throughout the province. (Creation of a video to send out may be useful.) Provide a list of acceptable documentation to be provided at polls.
14. Provide a ballot box at each local or use write-in ballots where there are only few voters.
15. Ensure voting is conducted in a neutral place.
16. Provide advance polls for those who cannot be in their community on the day of the election. This may be done through a write-in ballot.
17. Ballots should be uniform—numbered and signed. They should be signed for when the voter appears.
18. The exclusion of entire ballot boxes should be a rare occurrence – clear guidelines on when this should be done must be established.
19. Ensure the MNLA meets near the date of the election to ensure a more timely appeals process.
20. Public education on the MNS should be an ongoing service. A constitution which is claimed to apply to some 20,000 people, or more – should be ratified by more than 900 people. There are many programs initiated by locals with little or no resources. There are prosperous Métis entrepreneurs and many respected Elders who have made significant contributions. More people should be aware of this.

(c) Recommendation for Ombudsperson and Public Educator

21. Be accessible to the membership. An organization which is striving to govern a body of people as large as MNS must be responsive to its membership. This means being accessible, accountable and also governing in a manner where agendas are transparent and accepted. One method by which this can begin is by creating an office for people to air concerns, which will respond to those concerns. This body might redirect the concern to the appropriate office or investigate it. They could also play a key role in public education of Métis issues.

(d) Recommendation for Coordination of MNS, Federal, and Provincial Governments

22. Work with the provincial and federal governments to define a path for their role in the MNS. The standards which courts have set and the precedent by which federal governments deal with other Aboriginal groups are not consistent.

(e) Recommendations for Consultation of Métis People by MNS

23. Consultation on legislation which impact the Aboriginal community.
24. Ratification of legislation by the Aboriginal community – by quite a large margin (example: Treaty Land Entitlement). The standard is not less for Métis people.

II. RECOMMENDATIONS DIRECTED AT MÉTIS MEMBERS

(a) Participate Actively in Local and Regional Bodies

1. Work through locals and regions with the MNS to provide for a consensus building approach to creating Métis governance.

(b) Participate in MNS Political and Policy Processes

2. Use the MNS processes to air grievances and debate MNS issues.

(c) Vote in MNS elections

3. Vote in MNS elections—once voters' lists are centralized.

(d) Take Personal Responsibility for Updating Information

4. Take responsibility for keeping personal data in the registry current and assist in the creation of the Central Registry.

(e) Participate in Finding Solutions to Problems

5. Participate in the development of creative solutions to enumeration, public education and national Métis issues, between elections.

III. RECOMMENDATIONS FOR FEDERAL & PROVINCIAL GOVERNMENTS

(a) Role in Observing MNS Elections

1. Create a process by which the MNS elections can be observed for a determinate time, to ensure elections processes are fairly implemented.
2. Work with MNS to set a time frame for election observation and to determine penalties for problems during an election.

(b) Role in the Citizenship Enumeration Process

3. Assist in the enumeration process to ensure the Central Registry is developed successfully. This assistance may be financial but may also include access to government agencies who can assist with this process in its implementation. (Example: Vital Statistics may include forms for both registration in MNS or notification of death.)

(c) Role in the Funding MNS and MNS Affiliates

4. Evaluate and assess financial assistance to MNS for administration and programs and services. Reform to the MNS cannot happen without revenues to improve the basic foundation of the organization. Concerns about accountability can be assessed and addressed through the tripartite process.

(d) Negotiating with MNS on Matters Affecting Lives of Métis Citizens

5. Undertake provincial and national negotiations on the role of the federal and provincial governments in the lives of Métis people. The other option is to await court findings but eventually even that will result in a ruling where the parties are directed to negotiate a relationship. (as in the Supreme Court decision in *Delgamu'ukw*).

(e) Collaborate with MNS in Developing a Métis Commission

6. Work with the MNS in developing a Métis Commission to act as a neutral body on Métis issues. Recognize some authority for that body to ensure its credibility.

Appendix 2.2: Summary of Recommendations in the Lampard Report (2004)

Synopsis Of Key Points In The Lampard Report

"A Study to Answer the Question:
Was the Métis Election of [May 26] 2004 run in a fair and democratic manner such that its results can be relied upon by Métis people and the Government of Saskatchewan?"

Prepared by the Métis Elections Panel
For Internal Use
January, 2005

1.0 INTRODUCTION

1.1 Central Question

- Was the Métis Election of 2004 run in a fair and democratic manner such that its results can be relied upon by Métis people and the Government of Saskatchewan?

1.2 Three Basic Criteria for Elections

- Any organization, from local club to nation state, that purports to operate on democratic principles must follow three basic criteria that ensure that elections are fair and democratic.
- People voting in an election must have faith in the electoral process itself even though they may not necessarily welcome the election results.
- If voters do not have faith that the election process is fair and honestly run, only cynicism and disaffection can result.
- **The first criterion** is that there is a set of rules and regulations that clearly outline the electoral process, and they are fair and enforceable.
- **The second criterion** is that the rules and regulations outlining the electoral process are in fact followed and are clearly seen by the electorate as having been followed.
- **The third criterion** is that there be a provision for the settlement of any disputes by an independent tribunal that might materially affect the outcome of the election.

2.0 THE FIRST CRITERION (Appropriate Rules and Regulations)

- The first criterion is that there be a set of rules and regulations that clearly outline the electoral process, and they are fair and enforceable.

2.1 Legislation for Elections Must be Improved

- The two main pieces of Métis legislation that cover the election procedures are the MNS Election Act (Appendix A) and the MNS Election Regulations (Appendix B).
- These two pieces of legislation, while well intentioned, are poorly drafted.
- They are often in conflict with each other (e.g. as regards to the purpose of one of the most important election documents, the poll book).
- There are other examples, some of which have been noted elsewhere in this report.
- Both these pieces of legislation need careful redrafting. For example, in the MNS Election Regulations, Sections 19, 20 and 21 should more sensibly be included with Section 30 - Counts; Section 22 should be situated between Section 31 and 32; and so on.
- This kind of redrafting needs to be done if the regulations are to act as a guide to DRO's because the DRO's need careful, logically arranged steps to follow when conducting a poll.

2.2 Election Legislation Should be More Specific in Nature of Election Materials

- All forms, such as poll books, poll statements, oaths, authorizations, envelopes, seals, etc. should be contained in the regulations so that a CEO who is perhaps unfamiliar with the intimate machinery of elections can run one without having to reinvent the wheel each time. Had these forms been included in the MNS Election Regulations, perhaps ballots would have been properly sealed in envelopes and ballot boxes properly sealed for transport.
- If future elections are to be run based on this model, then it is essential that the legislation be tightly drafted so that everything from the creation of voter lists to the final count is carefully and logically detailed.

3.0 THE SECOND CRITERION (Rules Must be Followed and Seen to be Followed)

- The following is a list of the major categories of concerns referred to the Lampard Commission.by Métis citizens.
- Commissioner Lampard dealt with those concerns in his report in a section titled "Second Criterion."
- In that section, the commissioner indicated that some of those concerns were more significant than others:
    1. Concerns with appointment and neutrality of deputy returning officers and poll clerks
    2. Concerns with production, revision and posting of voters list
    3. Concerns with location of polling stations far away from communities

4. Concerns with inadequate advertising about location of polling stations
5. Concerns with polling stations opened for only part of the day
6. Concern with campaigning near or in polling stations
7. Concerns with control ballots and ballot boxes before, during and after election day
8. Concerns with problems of Métis citizens acquiring membership cards
9. Concerns with eligibility of some candidates to run for office
10. Concerns with *members* not being allowed to vote
11. Concerns with *non-members* being allowed to vote
12. Concerns with names of voters not being entered in the poll books
13. Concerns with poll books and oath of secrecy not signed by the DRO but not the poll clerks
14. Concerns with signatures of voters in poll books having similar looking signatures
15. Concerns with accuracy of initial and/or official counting of votes

4.0 THE THIRD CRITERION (Disputer Resolution Mechanism)

4.1 Election Dispute Resolution

- The MNS Constitution Act, Article 8 - Elections, lays out the duties and responsibilities of the commission, which is to oversee and conduct Métis Nation of Saskatchewan elections as follows:

  8.7.1 A Métis Election Commission composed of 3 Senators is empowered to oversee and conduct the general elections and by-elections of the Organization.

  7.4 … the Commission shall have sole authority and responsibility to conduct the elections and shall be independent and answerable only to the Métis Nation Legislative Assembly.

  7.6 The Commission shall be responsible for official recounts and appeals.

  7.7 The decisions of the Commission shall be final and binding, subject to the right of appeal to the Métis Nation Legislative Assembly, which decision shall be final and binding.

- The Métis Election Commission, therefore, oversees the election and handles any appeals that result from it.
- There is an old saying that "Justice must not only be done, it must be seen to be done."
- By handling both the election process and the appeals that may arise from it, the perception could arise that the Election Commission is judge, jury and hangman.
- Perhaps it would be wiser to have an appeals body unconnected to the Election Commission that holds open hearings into any disputes.

5.0 AN ALTERNATIVE ELECTORAL PROCESS

5.1 Key Question

- Short of turning to a third party to oversee Métis elections, as is apparently done in Alberta, a question asked by many Métis people frustrated by the present process, is there an alternative election model that could be developed to avoid the kind of problems elucidated in this report and yet still be run by the Métis Nation of Saskatchewan itself?

5.2 Answer Provided in Report Produced by Marilyn Poitras

- Marilyn Poitras, in her Electoral Reform Study after the 2001 election made many excellent suggestions to reform the system, few of which were adopted. Two of her key suggestions were the development of a central registry and creation of a permanent chief electoral officer. If I may quote from some of the recommendations made in her report:

> 5. Create a central registry which cannot be subject to change by presidents, regional directors or anyone else for political reasons. This system should … be designed to be updated for change of address, marriage, birth or death at one central location.
>
> 6. Remove the Central Registry from the political process by leaving control of it with a neutral body.
>
> 8. Issue MNS membership cards with photos, name, date of birth and an identifying number (Saskatchewan Health Number or Social Insurance Number) to avoid problems with people having the same names or moving. This would assist in portability of membership.
>
> 11. Establish an elections office which has the time and the resources to run a competent election. Key to this is to keep it at arm's length from the MNS.

*One of her final recommendations is the creation of a permanent chief electoral officer.

5.3 Answer Provided by Keith Lampard

5.3.1 Combining Central Registry & Electoral Office

- My suggestion would be to combine these two offices, the central registry and the electoral office, into one office, with one officer selected to be both registrar and CEO.

5.3.2 Selection of Registrar and CEO

- A politically neutral Métis lawyer could be sought by an independent headhunting firm and established in an office facility independent of the MNS.

- I suggest that the registrar/CEO be a lawyer because, as an officer of the court, this person would be more likely to be accepted in dealing with government agencies such as Saskatchewan Health, and their knowledge of the law would stand them in better stead when dealing with legislation impacting on the registry and elections.

5.3.3 Location of Combined Office

- The Elections Saskatchewan building would be an ideal location for this combined office because it has spare office and storage space and is separate from the MNS office[s?] and secure.
- This location might help to re-inspire confidence in the electoral process, but if this location is not acceptable, then an independent law office would suffice.

5.3.4 Establishing the Registry and Keeping it Up to Date

- It would be the registrar's duty to establish a reliable registry and keep it up to date by whatever means is feasible. A mutually beneficial relationship could be developed with Saskatchewan Health, Elections Canada, Elections Saskatchewan and other agencies desirous of maintaining current addresses on people.

5.3.5 Applying for Membership

- Métis people could then apply for membership either through their Local or directly to the registrar, and then receive their membership directly from the registrar. This would obviate some of the bottlenecks in the current system.

5.3.6 Responsibility of Métis Members to Ensure They are Registered

- As Métis elections are now permanently set every four years, it would be incumbent on Métis members to make sure that the Registry has their permanent address in the weeks prior to the election, which can be well advertised in local and regional offices and in the press.

5.3.7 Processing Mail-In Ballots

- On a specified number of days before election day, the registrar/CEO would mail out ballots to all those listed on the registry.
- The mail-out would contain:
  - a stamped return mail envelope;
  - a declaration envelope, on which the Métis citizen's signature, card number and other pertinent information necessary to identify them to the registrar/CEO must be completed;

  - a ballot for executive positions and a separate ballot for the regional director; and
  - a plain envelope in which to seal the executive ballot and a plain envelope in which to seal the regional director ballot.
- The voter would:
  - complete the declaration envelope;
  - mark the ballots and seal them in the designated ballot envelopes;
  - seal the ballot envelopes in the completed declaration envelope; and
  - seal the declaration envelope in the stamped pre-addressed envelope and mail it back to the registrar/CEO.
- When the return envelopes arrive at the elections office, the registrar/CEO would open them, check the declaration envelope so as to be satisfied that the voter is bona fide, and if so satisfied, open the declaration envelope and place the sealed ballot envelopes in the appropriate ballot boxes.
- If the registrar/CEO is not satisfied that the declaration envelope is bona fide, it would be set aside, unopened for future consideration if necessary.

5.3.8 Receiving and Counting of Mail-In Ballots

- All ballots must be received by the registrar/CEO by a specified date, at which time the registrar/CEO, in the presence of candidates and scrutineers, and possibly in conjunction with the provincial chief electoral officer, would open the ballot boxes, remove the ballots from their envelopes and proceed with the count.

5.3.9 Determining and Announcing Winners

- If there are clear winners at the end of that process, then the results can be announced.
- If the margin of victory in any given race is less than the number of declaration envelopes set aside, then at that point a final determination of whether or not each of those envelope's ballots should be considered would be made. When this has been done, the results can be announced.

5.3.10 Advantages of Mail-In System

- There are several advantages to the use of such a mail-in system:
  - first, it demands that the Métis registry be kept current;
  - second, there is no need to train election personnel;
  - third, it prevents political interference with voter lists;

  - fourth, it should obviate the need for an appeals procedure; and
  - fifth, it is cost-effective.

- One further advantage of a mail-out system is that each candidate could provide a photo, brief biography and platform that could be included in the mail-out package, so that voters have a better idea for whom they are casting their ballots, as one of the complaints that I heard was that the candidates were not known to many voters.
- Finally, such a system outlined above would be completely different to the current election model in which so many Métis citizens have lost faith. A complete change of system might be one way to restore that faith.

5.3.11 Funding of Election System

- A Métis election run on a model similar to the current one cannot be conducted successfully on the limited moneys available.
- Adequately funding such an election would be a once every four year expense, whereas if the same amount of money were laid out over a four-year period, it would fund not only the election but also the Métis Registry.

6.0 REGISTRY OF LOCALS BY REGISTRAR/CEO

6.1 Registrar/CEO in Charge of Registry of Locals

- The Registrar/CEO could also be in charge of a Registry of Locals whereby Locals would file their constitutions with that office.

6.2 Registrar in Charge of Developing andAdministering Criteria for Locals

- Strict criteria for admission and dissolution of Locals could be developed and administered by the Registrar/CEO and thus keep Locals safe from the politics of Regional Councils.

6.3 Annual Submission of Membership Reports by Locals to Registry of Locals

- By submitting their annual membership reports to the Registry of Locals rather than to MNS head office, the registrar would have a further means of keeping abreast of changes to Local membership lists and thus keep the Citizen's Registry up to date.

6.4 Registrar/CEO Advice/Assist Locals with Local Elections

- If so requested by a Local, the registrar/CEO could also give advice/assistance with a Local's elections.

6.5 Registrar and Locals Registry Should be Involved in Preparing Voters Lists

- It would seem that the role of the registrar and the Registry Office is limited by MNS Election Act Article 8 - Electoral List as follows:

  8. The Electoral List shall …

  8.2. Be compiled by the Chief Electoral Officer from the most recent Local Citizenship Lists on file at the Métis Nation-Saskatchewan Office.

- It would perhaps be wise to involve the registrar and Registry to a far greater degree in the preparation of the initial voter lists to be sent out to Local presidents, and in the checking of any revisions that may have been added to the revised lists when they are returned by Local presidents.

7.0 GENERAL COMMENTS ON THE RUNNING OF THE ELECTION

7.1. Simple Ways to Prevent Ballot Box "Stuffing"

- There are simple preventative measures that would render any attempt at ballot box "stuffing" extremely difficult to accomplish successfully.

  7.1.1 Ballots

  i) Ballots should be in standard books of one hundred, stapled and with a perforation so that when a ballot is removed a stub is left behind.

  ii) Ballots should be sequentially numbered from 00001 to 47000 (or however many are to be printed) and the stub should bear the same number as the ballot.

  iii) The CEO should keep a record of the ballot numbers put in each ballot box to be sent to a DRO. (e.g. two books, 00001-00100 and 00101-00200).

  iv) At the close of the poll but before the initial count, the DRO should record on a Ballot Paper Account and Poll Statement sheet the number of ballot papers (and their sequential numbers) received from the CEO, the number of voters appearing in the poll book as having voted, the number (and sequential numbers) of unused ballot papers, the number of ballot papers spoiled or declined, and the number of ballot papers unaccounted for (if any). This total should equal the number of ballots issued by the CEO to the DRO.

  v) Also on this Poll Statement, the number of votes counted for each candidate should be recorded. The total votes cast for each candidate and the number of unused, spoiled and rejected ballots should again come to the same total as the number of ballots issued for that poll by the CEO. The Poll Statement, after the voting results have been relayed to the CEO, should then be put in its own special envelope.

  vi) The ballots should be put in their own separate envelopes provided by the CEO for the purpose as follows:

  (a) Unused ballots and stubs of used ballots sealed in one envelope.

(b) Spoiled and rejected ballots sealed in another.

(c) Votes cast for each candidate sealed in separate envelopes, one for each candidate.

(d) The three classes of ballots above (a), (b) and (c) should then be sealed in one large envelope.

7.1.2. The Poll Book

- After the last voter has voted at the close of a poll, a line should be drawn across the page immediately under the last named voter, and the balance of the page "X"'d out. The DRO, poll clerk and scrutineers present should then sign along the "X" to prevent any further names being added thereafter.

7.1.3. Seals and Envelopes

(a) Self-adhesive paper seals should be used to seal all envelopes and the DRO, poll clerk and any scrutineers present should sign across the seal to prevent its being tampered with.

(b) The sealed and signed envelopes, poll book and voter list should then be placed in the ballot box and the metal seal number being used to seal the ballot box should be recorded on the poll statement. The box should then be sealed with that metal seal.

(c) Self-adhesive paper seals should be used to cover the slot in the lid of the box, to prevent anything else from being deposited in the box, placed over the lip of the ballot box and signed across the lip by the DRO, poll clerk and scrutineers. Thus, if an unauthorized person cuts the metal seal to open the box, the paper seal would have to be broken to gain access, and as this seal is not replaceable because of the signatures, such tampering would become self-evident.

7.1.4. Voter Lists

- It would perhaps be wise to involve the registrar and Registry to a far greater degree in the preparation of the initial voter lists to be sent out to Local presidents, and in the checking of any revisions that may have been added to the revised lists when they are returned by Local presidents.

7.1.5. Locals

7.1.5.1 Creation and Dissolution of Locals Under the MNS Constitution

- Article 7 of the MNS Constitution deals with Locals:

  7.1 The Locals shall be the basic unit of the Organization in each community.

  7.3 New Locals can be admitted by the Regional Councils provided this decision is ratified by the Métis Nation Legislative Assembly and the requirements herein are met.

7.4 Locals can be dissolved by the Regional Councils provided this decision is ratified by the Métis Nation Legislative Assembly and the requirements herein are no longer met.

7.5 The Métis Nation Legislative Assembly shall adopt rules pertaining to the admission and dissolutions of Locals."

- Article 12.4 of the MNS Constitution Act, which deals with the role of the Senate in resolving disputers in regions and locals, states:

  That the Senate be given the power to resolve disputes occurring in the Regions and Locals. Further, that decisions of the Senate shall be final and binding.

7.1.5.2 Stronger Guidelines in Admittance and/or Dissolution of Locals

- Unless the MNLA adopts stronger guidelines on the admittance and/or dissolution of Locals, this situation (i.e. problems with admittance and dissolution of Locals by regional directors) will continue to have a deleterious effect on the running of elections.

8.0 CONCLUSION

- I was asked to give my opinion as to whether the Métis Nation of Saskatchewan election of May 26, 2004 was conducted in a fair and democratic manner, such that the results could be trusted by both the Métis people themselves and by the Government of Saskatchewan.
- I began this report by saying that there are three criteria necessary to a fair and democratic election,

8.1 Problems Based on First Criterion

- The first criterion being a set of rules that clearly outline the election process and that are fair and enforceable.
- The MNS Election legislation is poorly drafted, often contradictory, sometimes confusing, but, in the main, if followed sensibly, adequate to the purpose.

8.2 Problems Based on Second Criterion (Rules and Regulations)

- The second criterion was that the rules and regulations outlining the electoral process are in fact followed and are clearly seen by the electorate as having been followed.
- In the foregoing pages, it has been shown that electoral lists were improperly prepared, notices of date, time, and place of poll were inadequately posted, ballot boxes were misdirected, many voters were disenfranchised, the control of ballots was lax, the directions for DRO's were inadequate, election officials received no training, the ballots cast were not counted accurately, one presidential candidate was allowed to appeal

and overturn the official election results without going through the appeals process and so the list goes on.

- The rules, then, were often flagrantly flouted, at times by accident, sometimes by design, and were seen to be flouted by many of the Métis electorate.

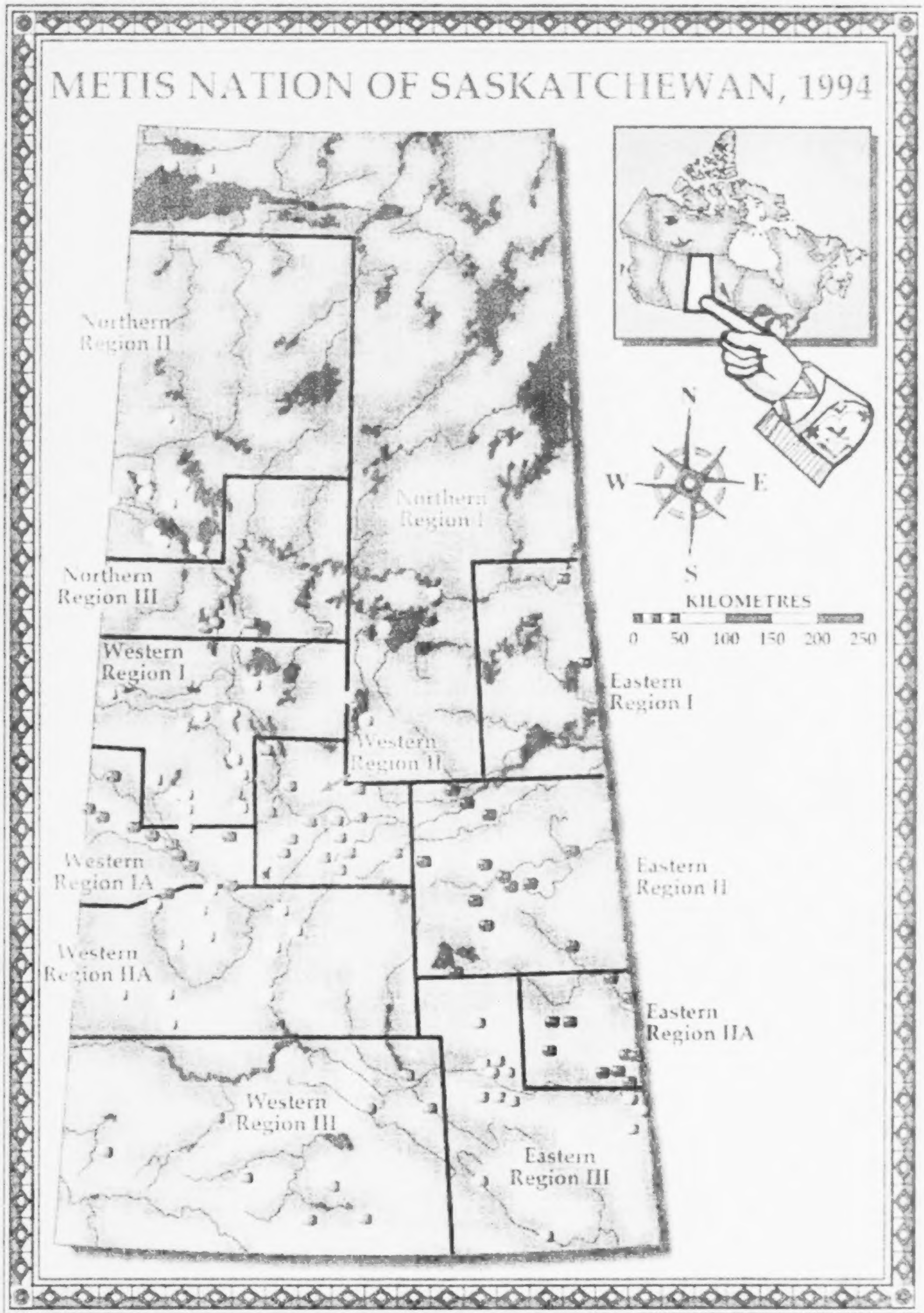
8.3 Problems Based on Third Criterion (Dispute Settlement)

- The third criterion was that there be a provision for the settlement of any disputes by an independent tribunal that might materially affect the outcome of the election.
- Under MNS legislation, the Election Commission also handles appeals, and in my conversations with appellants who had appealed to that body, it was not my impression that they were satisfied that they had had a fair hearing.
- Denying access to ballot boxes and poll books was the key element in this dissatisfaction.
- In order to challenge the results of an election in a court of law, one must show that the number of any ineligible voters who voted exceeds the margin of victory. Access to the ballot boxes and the poll books, etc., therein, is a sine qua non for such a determination.

8.4 Answer to the Central Question

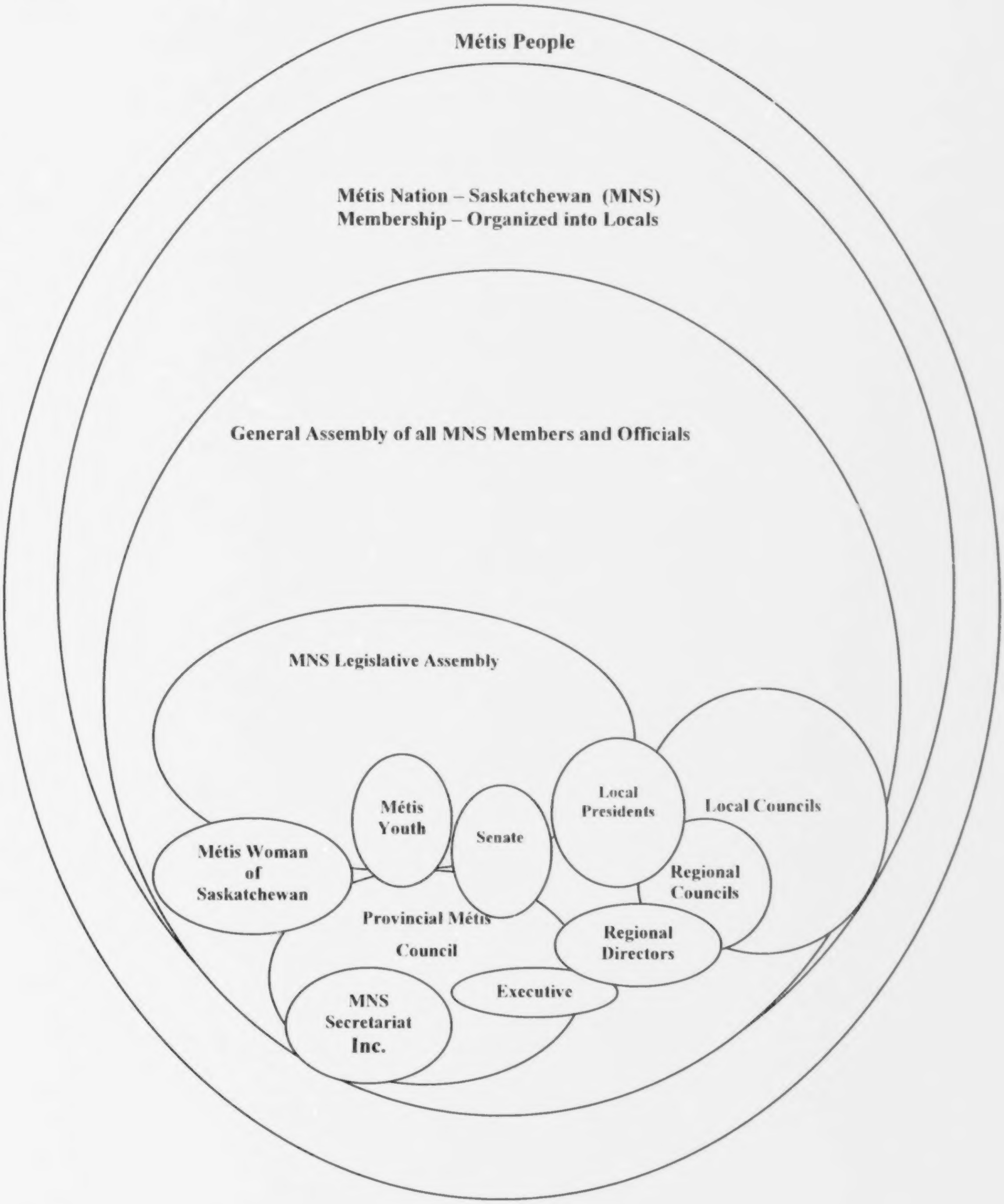
- Without access to the ballot boxes, I think I can safely say that if that access were granted, *the answer to the question posed as to whether the Métis people and the Government of Saskatchewan can trust those election results, is, in short, no.*

Appendix 3.1: Map of Métis Nation-Saskatchewan Regions

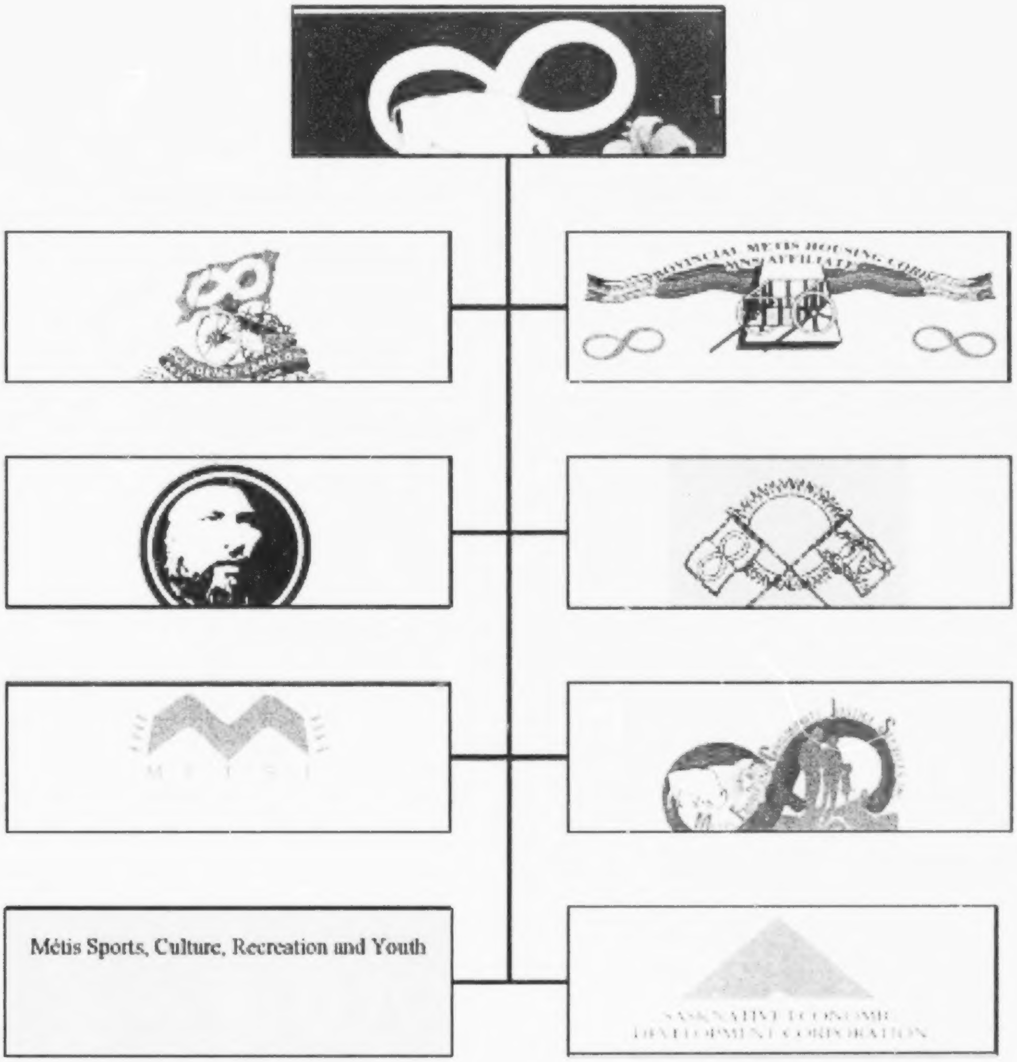

METIS NATION OF SASKATCHEWAN, 1994
Northern Region II
Northern Region I
Northern Region III
Western Region I
Western Region II
Eastern Region I
Western Region IA
Eastern Region II
Western Region IIA
Eastern Region IIA
Western Region III
Eastern Region III
N
W
E
S
KILOMETRES
0 50 100 150 200 250

Map courtesy of the Gabriel Dumont Institute.

Appendix 3.2: Overview of Current Métis Nation-Saskatchewan Governance System


Métis People
Métis Nation – Saskatchewan (MNS) Membership – Organized into Locals
General Assembly of all MNS Members and Officials
MNS Legislative Assembly
Local Councils
Local Presidents
Métis Youth
Senate
Métis Woman of Saskatchewan
Regional Councils
Provincial Métis Council
Regional Directors
Executive
MNS Secretariat Inc.

Appendix 3.3: Overview of Current Métis Nation-Saskatchewan Affiliates


PROVINCIAL METIS HOUSING CORP
MNS AFFILIATE
METSI
Métis Sports, Culture, Recreation and Youth
SASK NATIVE ECONOMIC
DEVELOPMENT CORPORATION

Métis Nation-Saskatchewan has been the Métis political voice of the Métis in Saskatchewan for several years. It has been connected and actively participated with the activities of the Saskatchewan Métis affiliates for several years. The MNS corporations are all incorporated bodies under the Saskatchewan Non-Profit Corporations Act or the Business Corporations Act. The directors of each corporation make the decisions for the corporation. The MNS appoints the chairpersons of the various Métis affiliate boards.

The Clarence Campeau Development Fund (CCDF) was formed to stimulate economic development for Métis people and communities by providing equity for Métis businesses, support to community economic development initiatives and assistance for the development of the management skills of new and existing Métis business owners and entrepreneurs. The CCDF was established by the Métis Society of Saskatchewan Inc., subject to an agreement with the government of Saskatchewan dated June 11, 1997. In September 2001, an amendment to the Gaming Act recognized CCDF in legislation, and a new agreement between the province and the Métis Nation-Saskatchewan Secretariat Inc. was executed in December 2002. The chairperson and the board of directors are appointed for staggered terms by the MNS after an eligibility and screening process.

The Provincial Métis Housing Corporation (PMHC) is a delivery agent for CMHC and Municipal Government Housing Division. PMHC is currently delivering home repair programs in a designated area of the province of Saskatchewan. The home repair programs are targeted for low income owners who require assistance to make repairs to major problems with their homes. It currently is overseen by a five-person board that has a chairperson appointed by the MNS. It operates under the Non-Profit Corporations Act.

The Mission of the Gabriel Dumont Institute (GDI) is to promote the renewal and development of Métis culture through research, materials development, collection and distribution of materials and the development and delivery of Métis-specific educational programs and services. It was incorporated as a non-profit corporation in 1980 to serve the educational and cultural needs of the Saskatchewan Métis and non-status Indian community. GDI is the educational arm of the MNS. It is the only Métis-owned educational institution of its kind in Canada. It is responsible for the design, development and delivery of Métis programming at the post-secondary level. It is associated with the University of Saskatchewan, University of Regina, and Saskatchewan Institute of Applied Science and Technology (SIAST). The Gabriel Dumont College offers programming through the Institute, such as Saskatchewan Urban Native Teacher Education Program (SUNTEP). Dumont

Technical Institute (DTI) offers technical and vocational programs, such as Adult Basic Education and skills training in various areas. It is currently overseen by a twelve-member board that has a chairperson appointed by the MNS.

The mission of The Métis Addictions Council of Saskatchewan Inc. (MACSI) is to reduce and eventually eliminate the harmful effects of alcohol and drug-abuse among Aboriginal people and assist communities in restoring a balanced and harmonious lifestyle. The Council is incorporated under Saskatchewan laws as a non-profit corporation and is a registered charity with Canada Customs and Revenue Agency. In February, 2004, the fifteen-person board resigned and a four-person board was appointed to oversee MACSI's operations.

Métis Employment and Training of Saskatchewan Inc. (METSI) is operated by Métis for Métis. METSI has signed service delivery agreements with twelve regional offices throughout Saskatchewan to better serve the unique employment needs of Métis individuals and communities. It is incorporated under the Non-Profit Corporations Act, and has Métis people appointed to their board by the MNS. The chairperson is appointed by the MNS.

Métis Family Community Justice Services of Saskatchewan Inc. (MFCJS) has a provincial mandate to design, develop and implement services at the regional level for Métis in Saskatchewan. Part of their mandate is to work with Métis children and families at risk. It is incorporated under the Non-Profit Corporations Act, and has representation from the twelve Métis regions in Saskatchewan. MNS appoints the chairperson to the board of this affiliate.

Sasknative Economic Development Corporation (SNEDCO) is a Saskatchewan Métis-owned lending institution created to finance the start-up, acquisition and/or expansion of viable Métis controlled small businesses based in Saskatchewan. SNEDCO's business advisory services division provides general business information and consulting services, and also offers business development workshops. SNEDCO is incorporated under the Business Corporations Act. Its board is comprised of Métis representatives from Métis regions throughout the province. The chairperson and board are appointed by the MNS after an eligibility and screening process.

Métis Sports, Culture, Recreation and Youth

This affiliate is listed under the affiliates of the MNS. Its purpose is to address issues involving Métis sports, culture, recreation and youth. It also deals with some Batoche issues. It has a board comprised of representatives from different regions in Saskatchewan. It is incorporated under the Non-Profit Corporations Act. The chairperson is appointed by the MNS.

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Appendix 4.1: *The Métis Act*

The Métis Act
being
Chapter M-14.01 of The Statutes of Saskatchewan, 2001
(effective January 28, 2002).

CHAPTER M-14.01

An Act to recognize contributions of the Métis and to deal with certain Métis institutions

WHEREAS the existing Aboriginal rights of Métis people are protected pursuant to section 35 of the *Constitution Act, 1982*;

AND WHEREAS the Government of Saskatchewan wishes to work in partnership with the Government of Canada and the Métis people to promote and strengthen the capacity for Métis governance of Métis institutions and communities;

AND WHEREAS, pursuant to section 14.1 of *The Interpretation Act, 1995*, nothing in this Act is to be construed as abrogating or derogating from the existing Aboriginal rights of Métis people mentioned in section 35 of the *Constitution Act, 1982*;

AND WHEREAS nothing in this Act is to be construed as altering or affecting the position of the Government of Saskatchewan that legislative authority in relation to Métis people rests with the Government of Canada pursuant to section 91(24) of the *Constitution Act, 1867*;

THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

PART I

Short Title

Short title

1 This Act may be cited as The *Métis Act*.

PART II

Recognition of Métis Contributions

Recognition of Métis contributions

2 The purpose of this Part is to recognize the contributions of the Métis people to the development and prosperity of Canada, including:

(a) the rich and evolving history of the Métis people;

(b) the cultural distinctiveness of the Métis communities and traditional ways of life of the Métis people;

(c) the importance of the languages of the Métis people, including the Michif language, to Canada's culture and heritage;

(d) the distinctive culture and cultural legacy of the Métis people, as symbolized by the Métis flag, the Métis sash, the Red River cart, the fiddle and the Red River jig;

(e) the significance of the Métis farms and the Batoche historic site;

(f) the honourable and invaluable service of the Métis veterans during the two World Wars and the Korean War and in many peace-keeping missions around the world;

(g) the importance of Métis entrepreneurs to Canada's economy, beginning in the 18th Century with the historic involvement of the Métis in the North West fur trade;

(h) the leadership role of Métis institutions in providing educational, social and health services to Métis people, and the contribution of those institutions to the delivery of those services; and

(i) the important contribution of the Métis Nation-Saskatchewan in representing the needs and aspirations of the Métis people.

PART III

Bilateral Process

Bilateral process

3(1) The Government of Saskatchewan and the Métis Nation-Saskatchewan will work together through a bilateral process to address issues that are important to the Métis people, including the following:

(a) capacity building;

(b) land;

(c) harvesting;

(d) governance.

(2) Where the Government of Saskatchewan and the Métis Nation-Saskatchewan consider it appropriate, they may enter into a memorandum of understanding that reflects the discussions resulting from the bilateral process mentioned in subsection (1).

PART IV

Métis Nation – Saskatchewan Secretariat Inc.

Interpretation of Part

4 In this Part:

(a) "**corporation**" means the Métis Nation-Saskatchewan Secretariat Inc. established pursuant to section 5;

(b) "**director**" means, except in section 16, a director of the corporation;

(c) "**Director**" means the Director within the meaning of *The Non-profit Corporations Act, 1995*.

MNS Secretariat Inc. established

5(1) The Métis Nation-Saskatchewan Secretariat Inc. is established pursuant to this Act as a body corporate without share capital.

(2) The corporation is the administrative body by which the policies and programs of the Métis Nation-Saskatchewan may be carried out and administered.

Powers

6 Subject to this Act, the corporation has the capacity, rights, powers and privileges of a natural person.

Board of directors

7(1) The board of directors consists of those persons who are members of the Provincial Métis Council of the Métis Nation-Saskatchewan.

(2) The board of directors shall direct and manage the activities and affairs of the corporation.

(3) The board of directors shall formalize its decisions by resolution or bylaw.

Bylaws

8 Bylaws shall be made for the governance and proper administration of the corporation's activities, affairs, property and interests.

Special meetings

9(1) If a petition that requests the holding of a special meeting and that is signed by at least 250 Métis individuals of Saskatchewan is delivered to the head office of the corporation, the board of directors shall, within 60 days, hold a special meeting with the

Métis people of Saskatchewan to discuss any matter stated in the petition respecting the operation of the corporation.

(2) The board of directors shall cause a notice of the meeting mentioned in subsection (1) to be published:

(a) at least seven days before the day of the meeting; and

(b) in at least two newspapers having general circulation in Saskatchewan.

Records

10 The corporation shall maintain, at its head office or at any other place in Saskatchewan designated in the bylaws, the following:

(a) the bylaws of the corporation and all amendments to them;

(b) the minutes of meetings and resolutions of:

(i) the directors;

(ii) any committee of the corporation; and

(iii) any meeting held pursuant to section 9;

(c) copies of all notices published pursuant to subsection 9(2);

(d) the audited financial statements of the corporation.

Access to records

11 Any Métis individual of Saskatchewan, or his or her agent, and any other person may examine the records mentioned in section 10 during the usual business hours of the corporation and may make copies on payment of a reasonable fee to the corporation.

Filing

12(1) Within 15 days after the coming into force of this Act, the corporation shall file with the Director:

(a) a notice of the names and addresses of the directors of the corporation; and

(b) a notice of the location and address of the head office of the corporation.

(2) Within 15 days after a change occurs in the name or address of a director of the corporation or in the location or address of the head office of the corporation, the corporation shall file with the Director, as the case requires:

(a) a notice of the names and addresses of the directors of the corporation; or

(b) a notice of the location and address of the head office of the corporation.

(3) Within 90 days after the end of the corporation's fiscal year, the corporation shall file with the Director an audited financial statement of the corporation for that fiscal year. 2001, c.M-14.01, s.12.

Fiscal year

13 The fiscal year of the corporation is the period prescribed in the bylaws of the corporation.

Audit

14(1) The corporation shall appoint a duly qualified auditor who shall audit the records, accounts and financial statements of the corporation:

(a) annually; and

(b) at any other time that the corporation may direct.

(2) An auditor appointed pursuant to subsection (1) must be independent of the corporation and its directors, officers and employees.

(3) For the purposes of subsection (2), independence is to be determined in accordance with the rules set out in subsection 148(2) of ***The Non-profit Corporations Act, 1995***.

(4) Subsections 156(5) to (9) and sections 157 and 158 of *The Non-profit Corporations Act, 1995* apply, with any necessary modification, to the corporation and its auditor, directors, officers and employees.

Application of *The Non-profit Corporations Act, 1995*

15(1) Any Métis individual of Saskatchewan or any creditor of the corporation may exercise the powers of a member or a security holder, as the case may be, pursuant to sections 214 to 220 of *The Non-profit Corporations Act, 1995*, and those provisions apply, with any necessary modification, to the corporation and its directors, officers and employees.

(2) For the purposes of this section, any Métis individual of Saskatchewan is deemed to have the status of a member within the meaning of *The Non-profit Corporations Act, 1995*.

Subsidiaries

16(1) In this section, "**subsidiary**" means a subsidiary corporation without share capital.

(2) A bylaw may be made to establish any subsidiary that the corporation considers necessary to carrying out its objects.

(3) A bylaw made pursuant to subsection (2) must:

(a) name the first directors of the subsidiary and their terms of office; and

(b) prescribe how directors, other than the first directors, are to be appointed or elected.

(4) Every subsidiary established pursuant to this section is a body corporate and has the capacity, rights, powers and privileges of a natural person.

(5) Sections 8 to 15 apply, with any necessary modification, to every subsidiary established pursuant to this section.

(6) Within 15 days after establishing a subsidiary pursuant to this section, the corporation shall file a notice with the Director specifying:

(a) the name of the subsidiary;

(b) the names and addresses of the first directors of the subsidiary;

(c) the location and address of the head office of the subsidiary; and

(d) the fiscal year of the subsidiary.

(7) The corporation may, by bylaw, dissolve a subsidiary, and all remaining rights, obligations, assets and liabilities of the subsidiary on dissolution are transferred to and become the rights, obligations, assets and liabilities of the corporation.

(8) Within 15 days after dissolving a subsidiary pursuant to this section, the corporation shall file a notice with the Director respecting the dissolution.

Dissolution of predecessor corporation

17(1) In this section, "predecessor corporation" means the Métis Nation of Saskatchewan Secretariate Incorporated, incorporated pursuant to The Non-profit Corporations Act, 1995.

(2) The predecessor corporation is dissolved.

(3) On the dissolution of the predecessor corporation pursuant to this section:

(a) the rights, obligations, assets and liabilities, as at the date of the coming into force of this section, of the predecessor corporation, as the predecessor corporation existed on the day before the coming into force of this section, are transferred to and become the rights, obligations, assets and liabilities of the corporation;

(b) the corporation may, in its own name, commence and maintain any actions or proceedings, exercise any powers and claim any rights or remedies that the predecessor corporation could have commenced, maintained, exercised or claimed before the coming into force of this section; and

(c) any actions or proceedings that could have been brought or maintained against the predecessor corporation, and any rights or remedies that could have been claimed against the predecessor corporation, before the coming into force of this section may be brought or maintained or claimed against the corporation.

PART V

Coming into Force

Coming into force

18 This Act comes into force on proclamation.

Appendix 4.2: *The Non-Profit Corporation Act, 1995* [Articles 148(2) and 214-220]

The Non-profit Corporations Act, 1995

being

Chapter N-4.2 of the Statutes of Saskatchewan, 1995 (effective May 15, 1995) as amended by the Statutes of Saskatchewan, 1997, c.T-22.2; 1998, c.C-45.2; 2001, c.9; 2003, c.33; and 2004, c.16.

Disqualification of auditor

148(1) Subject to subsection (5), a person is disqualified from being an auditor of a corporation if:

(a) he or she does not meet the qualifications prescribed in the regulations; or

(b) he or she is not independent of the corporation, any of its affiliates or the directors or officers of the corporation or its affiliates.

(2) For the purposes of this section:

(a) independence is a question of fact; and

(b) a person is deemed not to be independent if the person or his or her business partner:

(i) is a business partner, a director, an officer or an employee of the corporation or any of its affiliates, or a business partner of any director, officer or employee of that corporation or any of its affiliates;

(ii) beneficially owns or controls, directly or indirectly, a material interest in any security of the corporation or any of its affiliates; or

(iii) has been a receiver, receiver-manager, liquidator or trustee in bankruptcy of the corporation or any of its affiliates within two years of his or her proposed appointment as auditor of the corporation.

(3) An auditor who becomes disqualified pursuant to this section shall, subject to subsection (5), resign immediately after becoming aware of his or her disqualification.

(4) An interested person may apply to the court for an order declaring an auditor to be disqualified pursuant to this section and the office of auditor to be vacant.

(5) An interested person may apply to the court for an order exempting an auditor from disqualification pursuant to this section and the court may, if it is satisfied that an exemption would not unfairly prejudice the members, make an exemption order on any terms it considers appropriate, and that order may have retrospective effect.

Investigation

214(1) A member, a security holder or the Director may apply ex parte, or on any notice that the court may require, to a court having jurisdiction in the place where the corporation has its registered office for an order directing an investigation to be made of the corporation and any of its affiliated corporations.

(2) Where, on an application pursuant to subsection (1), it appears to the court that any of the following have taken place, the court may order an investigation to be made of the corporation and any of its affiliated corporations:

(a) the activities or affairs of the corporation or any of its affiliates are or have been carried on or conducted with intent to defraud any person;

(b) the activities or affairs of the corporation or any of its affiliates are or have been carried on or conducted, or the powers of the directors are or have been exercised, in a manner that is oppressive or unfairly prejudicial to or that unfairly disregards the interests of a member or security holder;

(c) the corporation or any of its affiliates was formed for a fraudulent or unlawful purpose or is to be dissolved for a fraudulent or unlawful purpose;

(d) persons concerned with the formation or activities or affairs of the corporation or any of its affiliates have acted fraudulently or dishonestly.

(3) Where a member or a security holder makes an application pursuant to subsection (1), he or she shall give the Director reasonable notice of the application, and the Director is entitled to appear and be heard in person or by counsel.

(4) An applicant pursuant to this section is not required to give security for costs.

(5) An ex parte application pursuant to this section is to be heard in private.

(6) No person may publish anything relating to *ex parte* proceedings pursuant to this section except with the authorization of the court or the written consent of the corporation being investigated.

Powers of court

215(1) In connection with an investigation pursuant to this Division, the court may make any order it considers appropriate, including an order:

(a) to investigate;

(b) appointing an inspector, who may be the Director, fixing the remuneration of an inspector, and replacing an inspector;

(c) determining the notice to be given to any interested person, or dispensing with notice to any person;

(d) authorizing an inspector to enter any premises in which the court is satisfied there might be information relevant to the investigation, and to examine any thing and make copies of any document or record found on the premises;

(e) requiring any person to produce documents or records to the inspector;

(f) authorizing an inspector to conduct a hearing, administer oaths and examine any person on oath, and prescribing rules for the conduct of the hearing;

(g) requiring any person to attend a hearing conducted by an inspector and to give evidence on oath;

(h) giving directions to the inspector or any interested person on any matter arising in the investigation;

(i) requiring an inspector to make an interim or final report to the court;

(j) determining whether a report of an inspector should be published and, if so, ordering the Director to publish the report in whole or in part or to send copies to any person the court designates;

(k) requiring an inspector to discontinue an investigation;

(l) requiring the corporation to pay the costs of the investigation.

(2) An inspector shall send to the Director a copy of every report made by the inspector pursuant to this Division.

Powers of inspector

216(1) An inspector pursuant to this Division has the powers set out in the order appointing him or her.

(2) In addition to the powers set out in the order appointing him or her, an inspector appointed to investigate a corporation may furnish to, or exchange information and otherwise co-operate with, any public official in Canada or elsewhere who is authorized to exercise investigatory powers and who is investigating, respecting the corporation, any allegation of improper conduct that is the same as or similar to the conduct described in subsection 214(2).

(3) On request an inspector shall produce to an interested person a copy of any order made pursuant to subsection 215(1).

Hearing in private and right to counsel

217(1) Any interested person may apply to the court for:

(a) an order that a hearing conducted by an inspector pursuant to this Division be heard in private; and

(b) directions on any matter arising in the investigation.

(2) A person whose conduct is being investigated or who is being examined at a hearing conducted by an inspector pursuant to this Division has a right to be represented by counsel.

Incriminating statements

218 No person is excused from attending and giving evidence and producing documents and records to an inspector pursuant to this Division by reason only that the evidence tends to incriminate him or her or subject him or her to any proceeding or penalty, but none of that evidence shall be used or is receivable against him or her in any proceeding instituted against him or her other than a prosecution for perjury in giving the evidence or a prosecution pursuant to section 133 or 136 of the *Criminal Code* respecting that evidence.

Absolute privilege

219 Any oral or written statement or report made by an inspector or any other person in an investigation pursuant to this Division has absolute privilege.

Solicitor-client privilege

220 Nothing in this Division is to be construed to affect the privilege that exists respecting a solicitor and his or her client.

Inquiries

221 The Director may make inquires of any person relating to compliance with this Act.

Appendix 4.3: Constitution of the Métis Nation-Saskatchewan

Constitution of the Metis Nation of Saskatchewan

PREAMBLE:

The Métis Nation and People are a distinct SOCIETY within the Aboriginal Peoples of Canada. The Métis are distinct from the Indians and Inuit and are the descendants of the historic Métis who evolved in what is now Western Canada and part of the northern United States, as a people with a common political will and consciousness.

Having experienced physical and political conflict and dispossession in the late 1800's, we are still engaged in a continuing struggle to rebuild our social case and revive our cultural heritage and pride. As such, we are striving for the political, legal and constitutional recognition and guarantees of the rights of our People, including the right to a land and resource base, self-government and self-government institutions. In order to achieve these objectives we are hereby reestablishing a strong and revitalized organization within the province of Saskatchewan, which must involve all sectors within our Society.

While pursuing these objectives within Saskatchewan, we are also committed to cooperating with the members of the Métis Nation in the rest of the Métis Homeland in order to develop a National Forum to represent our collective interests at the national and international levels.

We the citizens of the Métis Nation recognize:

The inherent dignity to equality and rights which can never be taken away from Métis people is the foundation of Freedom, Justice and Peace in the Métis Nation.

The ideal of all Métis enjoying civil and political freedom can only be achieved if conditions are created whereby every Métis may enjoy their civil, political rights, economic, social and cultural rights.

The promotion of Universal respect for and observance of all the collective and individual rights and freedoms of all Métis.

Realize that the Métis individual, having duties to other Métis individuals and to the Métis community to which they are a part of, is under the responsibility to strive for the promotion and observance of all Métis rights.

Therefore we the citizens of the Métis Nation agree to the following articles:

1. All Métis have the rights to self-determination. By virtue of that right we the citizens of the Métis Nation will freely determine our political status and freely pursue our economic, social and cultural development;

2. The Métis Nation undertakes to respect and ensure to all individuals within the nation and subject to its jurisdiction the rights without distinction of any kind such as race, color, sex, language, religion, political or other opinions;
3. To ensure that any Métis person whose rights or freedoms as herein recognized are violated shall have an effective remedy;
4. To ensure that any person claiming such a remedy shall have their right thereto determined by competent Judicial, administrative or legislative authorities of the Métis Nation of Saskatchewan.
5. To ensure competent authorities as enacted by the Métis Nation of Saskatchewan shall enforce such remedies when granted;
6. The Métis nation undertakes to ensure the equal right of men and women to enjoy all civil and political rights set forth in these articles;
7. Every Métis citizen shall have the right to liberty of movement and freedom to choose their residence;
8. No Métis citizen in the Métis Nation shall be deprived of the right to join a local in the community they reside;
9. All person shall be equal before the Métis Legislative Assembly in the termination of any issue which they are charged with. Every Métis Person shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by the Métis Legislative Assembly;
10. No Métis Person shall be subject to arbitrary or unlawful interference with their privacy, family, home or correspondence, nor to unlawful attacks on their honor or reputation;
11. Every Métis person shall have the right to freedom of thought, conscience and religion;
12. No Métis Person shall be subject to coercion that would impair their freedom to have or adopt a belief of their choice;
13. The Métis Nation of Saskatchewan shall have respect for the liberty of parents or guardians to ensure the moral education of their children is in conformity with their own convictions;
14. Every Métis Person has the right to hold opinions without interference;
15. Every Métis Person shall have the right to expression. This right shall include the freedom to seek, receive and import information and ideas of all kinds either in writing or print, in the form of art, or through any media of their choice;
16. The right of Métis People to assemble and organize at the community level shall be recognized;
    1. Every Métis Person shall have the right of association.
17. No restrictions may be placed on the exercise of this right other than those prescribed by the Métis Legislative Assembly which are necessary to protect the interests of the Métis Nation.

18. The family is the natural and fundamental group of the Métis Nation and is entitled to protection by the Métis Nation;

19. Every Métis child born of a Métis man or woman is a citizen of the Métis Nation and shall be registered immediately;

20. Every Métis Person has the right to:

    1. Take part in the conduct of public affairs, directly or through freely chosen representatives.

    2. To vote and to be elected to the Local, Assembly of Representatives or the Métis Legislative Assembly.

    3. All votes shall be of equal and universal suffrage and shall be held by secret ballot which guarantees the free expression of the will of the electors.

    4. All Métis shall have the right to access all public services offered through the Métis Nation affiliates.

21. All Métis Persons are equal and entitled to protection by the Métis Nation of Saskatchewan. (Amended November 18, 2000)

ARTICLE 1: NAME OF ORGANIZATION

1. The organization shall be known as the "Métis Nation-Saskatchewan". (amended November 18, 2000)

ARTICLE 2: MÉTIS NATION LEGISLATIVE ASSEMBLY

1. There shall be a Métis Nation Legislative Assembly which shall be the governing authority of the Métis Nation of Saskatchewan.

2. The Métis Nation Legislative Assembly shall be comprised of the Local Presidents, The Provincial Métis Council, four representatives of the Métis Women of Saskatchewan and four representatives from the Provincial Métis Youth Council. (amended November 18, 2000).

    1. Notwithstanding Section 2, the Vice President of a Local shall serve as an alternate member of the Métis Nation Legislative Assembly in the event that a President is not able to attend. (amended November 18, 2000.)

3. The Métis Nation Legislative Assembly shall have the authority to enact legislation, regulations, rules and resolutions governing the affairs and conduct of the Métis in Saskatchewan.

4. The President shall assign and recommend portfolios, subject to the approval of the Provincial Métis Council and ratification by the Métis Nation Legislative Assembly. The assignment of portfolios shall be restricted to members of the Métis Legislative Assembly. (amended June 16/97)

5. The Métis Nation Legislative Assembly, based upon the recommendations of the Provincial Métis Council, shall have the authority to appoint Commissions, Committees or other subsidiary bodies, where these are deemed necessary in order to effectively carry out the activities and functions of the Organization. In so doing the Assembly shall ensure equity of representation from the Youth, Women and Elders.

6. The Métis Nation Legislative Assembly shall meet at least twice a year.

7. Seventy-five members of the Métis Nation Legislative Assembly shall constitute a quorum.

8. Notice of any session of the Métis Nation Legislative Assembly shall require thirty days notice to the Local Presidents and Provincial Métis Council.

9. A person is disqualified from being a member of the Métis Nation Legislative Assembly when:

   1. he/she dies or resigns

   2. he/she is under sixteen (16) years of age.

10. All budgets shall be determined by the Métis Nation Legislative Assembly, based upon the recommendations of the Provincial Métis Council.

11. The delegates to the Métis National Assembly of the Métis National Council shall be the Provincial Métis Council and the remainder shall be chosen from amongst the members of the Métis Nation Legislative Assembly, while the President shall form part of the Executive Council of the Métis National Council. This Constitution may be amended to take into account and reflect changes which may take place within the Métis National Council.

ARTICLE 3: PROVINCIAL MÉTIS COUNCIL

1. The Provincial Métis Council shall be composed of the elected Regional Representatives, the Executive, one representative from the Métis Women of Saskatchewan and one representative from the Provincial Métis Youth Council for a total of Eighteen (18) Provincial Métis Council members. (amended November 18, 2000)

2. The Provincial Métis Council shall form the cabinet and be responsible for the portfolios to be assigned and recommended by the President.

3. The Provincial Métis Council shall be responsible for ensuring that the affiliates, departments, programs and services covered by their portfolios are running smoothly and have the necessary resources to enable them to operate effectively. In addition, they shall provide a report to each meeting of the Provincial Métis Council and each session of the Métis Nation Legislative Assembly or as requested by the President.

4.

   1. The Provincial Métis Council shall have the authority to appoint Commission, Committees or other subsidiary bodies, where these are deemed necessary in order to effectively carry out the activities and functions of the Organization and Métis Legislative Assembly directives.

   2. The Provincial Métis Council shall designate persons who may have signing authority for the purpose of conducting the affairs of the Organization, which shall include the Treasurer.

5. The Provincial Métis Council shall meet at least once every two months.

6. Eleven members of the Provincial Métis Council shall constitute a quorum. (amended November 18, 2000)

7. Notice of any meeting of the Provincial Métis Council shall be given at least seven days prior to such meeting.

8. The Provincial Métis Council shall provide written reports to the Métis Nation Legislative Assembly.

9. Elected Provincial Métis Council members and Presidents should not hold paid positions with the Métis Nation of Saskatchewan or any of the Affiliate Boards.

10. The Provincial Métis Council shall set the date and place for each Métis Nation Legislative Assembly sitting, provided no less that Thirty (30) days written notice is given to the President of each Local.

ARTICLE 4: EXECUTIVE

1. There shall be Four (4) Executive members of the Métis Nation Legislative Assembly who are elected province-wide.

2. The Executive shall be composed of the President, Vice-President, Secretary and Treasurer. (amended December 13/97)

3. The term of office for the Executive shall be three years.

4.
   1. The President of the Métis Nation Legislative Assembly shall be the head of the Executive, and Chief political spokesperson for the Organization.
   2. The President shall assign and recommend portfolios, subject to the approval of the Provincial Métis Council and ratification of the Métis Nation Legislative Assembly.

5. The Executive of the Métis Nation Legislative Assembly shall meet at least once per month and three members shall constitute a quorum.

6. The Executive shall provide written reports to the Métis Legislative Assembly.

7. Where a vacancy is created for any reason, including death or resignation, the Métis Nation Legislative Assembly shall elect from the Provincial Métis Council members an interim Executive member, who shall serve until a by-election has been held and the vacancy filled.

ARTICLE 5: REGIONS

1. There shall be Twelve (12) Regions as set out in Schedule A of this Constitution.
2. The Regions shall be governed by a Regional Council composed of the Presidents of the Locals within the respective Regions along with a regionally elected representative who shall be the Chairperson of the Regional Council, as well as the Region's Representative on the Provincial Métis Council of the Métis Nation Legislative Assembly.
3. The Regional Council shall have the responsibility of making all appointments to the Institutions and Affiliates at the Regional and Provincial levels. In the event that the Regional Representative is not so appointed, he/she shall be an ex-officio member of all Regional Institutions and Affiliates. (Amended June 26/97)
4. The Regional Council shall establish regional administrative offices.
5. The Regional Councils shall be responsible for programs and services decentralized to that level.
6. The Regional Councils shall enact a Constitution which is not inconsistent with this Constitution and such Regional Constitutions shall be registered with the Head Office.
7. The Regional Councils may incorporate with the appropriate government department.
8. The Regional Councils may seek the necessary finances and resources to carry out its programs, services, objectives and duties, and where so requested the Provincial Métis Council shall assist in securing these necessary finances and resources.
9. The Regional Councils shall assist their Local Communities in preparing to assume Métis self-government, which includes land, where this is an objective.
10. The Regional Councils shall provide direction to their Representatives on the Provincial Métis Council with respect to all matters, including the aims, objectives and aspirations of the Organization, and for their respective Regions. (Amended June 26/97)
11. Where a vacancy is created for any reason, including death or resignation, the Regional Council shall elect from the members of the Council an interim Regional Representative, who shall serve until a by-election has been held and the vacancy filled.

ARTICLE 6: URBAN COUNCILS

1. The Métis Nation of Saskatchewan shall initiate, assist, support, assign, recommend, and facilitate the development, implementation, and establishment of Métis Urban Self-Government Councils in Saskatchewan.

ARTICLE 6.1: NORTHWEST SASKATCHEWAN MÉTIS COUNCIL

1. The Métis Nation of Saskatchewan shall assist, support, recommend and facilitate the Regions forming the North West Saskatchewan Métis Council to develop, establish and implement Métis governance for their Métis Communities. (Amended Dec.13/97)

ARTICLE 7: LOCALS

1. The Locals shall be the basic unit of the Organization in each community.
2. The Local shall be made up of at least nine members.
3. New Locals can be admitted by the Regional Councils provided this decision is ratified by the Métis Nation Legislative Assembly and the requirements herein are met.
4. Locals can be dissolved by the Regional Councils provided this decision is ratified by the Métis Nation Legislative Assembly and the requirements herein are no longer met.
5. The Métis Nation Legislative Assembly shall adopt rules pertaining to the admission and dissolution of Locals.
6. Each Local shall be governed by an elected leadership as determined through the Constitution of the Local, which may include terms of one to three years and elections may be by ballot box or conducted at a General Assembly of the Local membership.
7. Any Métis who is sixteen years of age or over and is a member of the Local shall be entitled to vote or seek office.
8. Each Local shall be enact a Constitution which is not inconsistent with this Constitution, including the establishment of portfolios, committees or other bodies required to address community and other issues, and such Local Constitutions shall be registered with the Regional and Head Office of the Organization.
9. The Locals shall provide yearly up-dates of their membership to the Regional and Head Office, separating those members who are under sixteen years of age, from those sixteen and over.
10. The Locals shall be responsible to prepare the Communities for the assumption of Métis self-government, which includes land, where this is an objective.
11. The Locals may incorporate with the appropriate government department.
12. The Locals may seek necessary finances and resources to carry out their programs, services and objectives, and where so requested the Provincial Métis Council of the Métis Nation Legislative Assembly shall assist in securing these necessary finances and resources.

ARTICLE 8: ELECTIONS

1. Any member who is sixteen years of age or older may vote or seek elected office within the Métis Nation of Saskatchewan.
2. Elections for the Provincial Métis Council of the Métis Nation Legislative Assembly shall be held on the date set by the Métis Nation Legislative Assembly, based upon the recommendation of the Provincial Métis Council.
3. Elections for the Provincial Métis Council of the Métis Nation Legislative Assembly shall be held at least every three years.
4. The Executive of the Métis Nation Legislative Assembly shall be elected by the total membership at the Local polls by secret ballot.

5. Regional Representatives of the Provincial Métis Council shall be elected within their respective Regions through the establishing of a poll in each Local.

6. The Métis Nation Legislative Assembly shall enact, on a priority basis, an Elections Act, along with the necessary regulations and guidelines.

7.

   1. A Métis Elections Commission composed of 3 Senators is empowered to oversee and conduct the general elections and by-elections of the Organization.

   2. The terms of office of the Senators who sit on the Commission shall cease at the first session of the Métis Nation Legislative Assembly following the elections.

   3. The Senators who sit on the Commission shall be appointed by the Métis Nation Legislative Assembly, based upon the recommendations of the Senate, for a term of not more than three years, and are eligible for reappointment.

   4. When the election or by-election date has been set and the election called by the Métis Nation Legislative Assembly, based upon the recommendation of the Provincial Métis Council, the Commission shall have sole authority and responsibility to conduct the elections and shall be independent and answerable only to the Métis Nation Legislative Assembly.

   5. The Commission shall appoint a Chief Electoral Officer and other required personnel.

   6. The Commission shall be responsible for official recounts and appeals.

   7. The decisions of the Commission shall be final and binding, subject to the right of appeal to the Métis Nation Legislative Assembly, which decision shall be final and binding.

   8. The Métis Nation Legislative Assembly, based upon the recommendations of the Provincial Métis Council, shall determine the rate of remuneration and expense accounts for the Commission members, along with the period deemed necessary for the work of the Commission.

8. In the event of a vacancy on the Provincial Métis Council of the Métis Nation Legislative Assembly, a by-election shall be called within ninety (90) days from the date of vacancy.

9. When nominations close all candidates shall take a leave of absence for any elected position on the Provincial Métis Council of the Métis Nation Legislative Assembly or any salaried position with the Organization, or its subsidiary bodies. The Provincial Métis Council members and any person who has a salaried position with the Organization shall continue to receive their salary while they are on such leave of absence.

10. When nominations close and until candidates are unofficially elected, the Senators shall be solely responsible for conducting the affairs and activities of the Organization. The Senators shall receive remuneration for their work during this period.

11. The Provincial Métis Council members shall be on call and shall conduct business or represent the Organization form time to time as requested by the Senate. The Provincial Métis Council member shall receive expenses to compensate for travel as requested by the Senate.
12. All defeated or retiring candidates who were on the Provincial Métis Council prior to the election shall be entitled to and will receive their salary for two weeks after the election.
13. Any candidate who's election has been appealed under Section 7(f) and has been found guilty by the Métis Elections Commission of violating Section 9 shall forfeit such elected position with a right of appeal to the Métis Nation Legislative Assembly, which decision shall be final and binding.

ARTICLE 9: METIS NATION OF SASKATCHEWAN HEAD OFFICE

1. The Head Office shall be in Saskatoon.
2. The (12) Regional Offices of the Organization shall be accessible to our People and Leadership.

ARTICLE 10: CITIZENSHIP

1. 'Métis' means an Aboriginal person who self-identifies as Métis, who is distinct from Indian and Inuit, and:
   1. is a descendant of those Métis who received or were entitled to receive land grants and/or Scrip under the provision of the *Manitoba Act, 1870* or the *Dominion Lands Act*, as enacted from time to time; or
   2. a person of Aboriginal descent who is accepted by the Métis Nation and/or Métis Community.(Amended Dec. 13/97)
2. Any Métis who is a member of a duly registered Local is a member of the Métis Nation of Saskatchewan.
3.
   1. A member shall only belong to one (1) Local.
   2. A person shall reside in the Local for at least (6) months before he/she is eligible for membership in that Local. The Locals may make exceptions for educational and medical purposes.
4. Members shall be issued a membership card.
   1. This card shall provide life-time membership in the Organization.
   2. There shall be no fee for membership cards.
   3. Membership cards shall be numbered and a register maintained by the Senate in the Head Office. Replacement cards shall retain original number.

4. Membership cards shall be issued by the President of Secretary of a duly registered Local upon completion of the designated form.
5. Where there is a dispute as to membership, a ruling shall be made by the Senate, with a final right of appeal to the Métis Nation Legislative Assembly the decision of which shall be final and binding.
6. The Métis Nation Legislative Assembly shall enact, on a priority basis, a Métis Citizenship Act. (Adopted November 14, 1997)

ARTICLE 11: GENERAL ASSEMBLY

1. A General Assembly, composed of member from the Locals, shall be convened by the Métis Nation Legislative Assembly every year.
2. The General Assembly shall provide a Forum whereby the members of the Organization will receive information, review developments and provide guidance to the Métis Nation Legislative Assembly, and discuss, clarify, amend, vote on and ratify amendments to the Constitution.

ARTICLE 12: SENATE, WOMEN AND YOUTH

1. The Métis Nation Legislative Assembly shall make these items a priority, and shall involve the Senators, Women and Youth in the determination of their role and responsibilities within the Organization.
2. The Métis Women of Saskatchewan shall be designated (1) seat in the Provincial Métis Council and (4) seats in the Métis Nation Legislative Assembly. This provision shall cease to apply when women have achieved equitable representation in the Provincial Métis Council and Métis Nation Legislative Assembly.

2.1. That the Provincial Métis Youth Council shall be designated (1) seat on the Provincial Métis Council and (4) seats at the Métis Nation Legislative Assembly.

3. That appointments to vacancies in the Métis Senate be made at area meetings; Further, that Senate appointments be for lifetime or until such time as the Senator is unable to fulfil his/her duties.
4. That the Senate be given the power to resolve disputes occurring in the Regions and Locals. Further, that decisions of the Senate shall be final and binding.
5. That the Senate be equally represented by male and female.

ARTICLE 13: MÉTIS INDEPENDENCE

1. Whereas the Métis are seeking self-government as a third order of government within Canada, the organization shall be non-secretariat and non-partisan.
2. The loyalty of the members of the Métis Nation Legislative Assembly must be to the Métis People and Nation, and shall swear an Oath of Allegiance prior to taking office.

3. The leadership shall be responsible and accountable to the Communities, as reflected by the Métis Nation Legislative Assembly, which is the Supreme Body for the Métis within Saskatchewan.
4. Members of the Organization are not precluded from joining political parties of the two other orders of government, being the federal and provincial levels of government.
5. Any Provincial Métis Council member of the Métis Nation Legislative Assembly who chooses to seek the nomination of any Provincial of Federal Political Party in any provincial or federal election shall take a leave of absence from his/her position.

ARTICLE 14: AFFILIATES

1.
    1. The Métis Nation Legislative Assembly, on behalf of the Métis Nation-Saskatchewan, shall exercise all voting rights, powers, and duties of ownership in relation to the affiliates, based upon the recommendations of the Provincial Métis Council.
    2. Where not currently provided all affiliate Articles and By-laws shall be amended at the first reasonable opportunity to conform with this section.
2. The Provincial Métis Council members who is assigned a portfolio shall automatically sit as the Chairperson of the Affiliate(s) which falls under his/her portfolio.
3. A member who is an employee/staff person/management of an Affiliate shall not be permitted to sit on any Affiliate Board.
4. All Affiliates shall representation from the (12) Regions of the Organization, unless otherwise decided by the Métis Nation Legislative Assembly, based upon the recommendations of the Provincial Métis Council.

ARTICLE 14 (1): SECRETARIAT (Inserted June 26, 1997)

1. A Secretariat shall be retained under the Non-Profit Corporations Act for the sole purpose of carrying out the administrative duties of the Métis Nation-Saskatchewan. (Inserted June 26/97)
2. The Secretariat shall be known as the Métis Nation of Saskatchewan Secretariat Incorporated. (Inserted June 26/97)
3. The Board of Directors of the Secretariate shall be the same members who are elected to the Provincial Métis Council. (Inserted June 26/97)

ARTICLE 15: AMENDING FORMULA

1. The Constitution shall only be amended by the majority of three quarters of the members of the Métis Nation Legislative Assembly and ratified by three quarters of the members of the General Assembly.

2. All proposed amendments to the Constitution must be registered with the Métis Nation of Saskatchewan Head Office thirty days prior to the sitting of the Métis Nation Legislative Assembly is provided. Where the minimum 30 days notice is provided under Article 2, Section 8, all proposed amendments must be registered 14 days prior to the sitting of the Métis Nation Legislative Assembly. (Inserted June 26/97)

ARTICLE 16: IMPLEMENTATION

1. The Constitution shall take effect upon its adoption by the General Assembly subject to amendments validly passed by three quarters of the Assembly present, and the conclusion of General Assembly. Upon the happening of these two conditions all previous By-laws of the Organization are repealed and this Constitution shall constitute the sole Constitution of the Organization, until otherwise determined by the Organization.

Appendix 4.4: Métis Nation-Saskatchewan Legislative Assembly Act

Métis Nation of Saskatchewan
Legislative Assembly Act

Ratified November 6, 1999
Amended November, 2001

ARTICLE ONE - TITLE

1. This Act may be cited as "The Métis Nation Legislative Assembly Act, 1999."

ARTICLE TWO - INTERPRETATION

2. In this Act:

2.1. "Act" shall mean the Métis Nation Legislative Assembly Act.

2.2. "Affiliates" shall mean those organizations and structures established by the Métis Nation-Saskatchewan to provide programs and services to and on behalf of the Métis of Saskatchewan.

2.3. "General Assembly" shall mean the meeting of the General Assembly as set out in the Constitution.

2.4. "Clerk" shall mean the Clerk of the Métis Nation Legislative Assembly.

2.5. "Conflict of Interest" shall exist when an immediate family member of a member of the Métis Nation Legislative Assembly is either an Appellant or a Respondent in an appeal before the Assembly. An immediate family member is defined as father, mother, stepfather, stepmother, foster parent, brother, sister, spouse (including a common law spouse), child (including a child with a common law spouse), ward, father-in-law, mother-in-law or relative permanently residing with a member or any close personal or business associate.

2.6. "Deputy Speaker" shall mean the Deputy Speaker of the Métis Nation Legislative Assembly.

2.7. "Dumont Scout" shall mean the person responsible for the keeping of the peace at the Métis Nation Legislative Assembly, named in honour of Dumont 's peacemakers historically called 'Scouts.'

2.8. "Executive" shall mean the Executive members of the Métis Nation Legislative Assembly/ Provincial Métis Council who are elected province-wide.

2.9. "Locals" shall mean the Métis Nation-Saskatchewan Locals as set out in the Constitution.

2.10. "Métis Nation Legislative Assembly" shall mean the governing authority of the Métis Nation, as set out by the Constitution.

2.11. "Order of the Day" shall mean the compilation of documentation for members of the Métis Nation Legislative Assembly including the Agenda, Reports, Minutes, Appeal Documents, Draft Legislation, Motions and Constitutional Amendments to be tabled at the Métis Nation Legislative Assembly.

2.12. "Provincial Métis Council" shall mean the Regional Representatives, the Executive, one representative from the Métis Women of Saskatchewan.

2.13. "Regions" shall mean the Métis Nation-Saskatchewan Regions as set out in the Constitution.

2.14. "Senate" shall mean the Métis Nation-Saskatchewan Senate.

2.15. "Speaker" shall mean the Speaker of the Métis Nation Legislative Assembly.

ARTICLE THREE - COMPOSITION OF THE MÉTIS NATION LEGISLATIVE ASSEMBLY

3. In this Act:

3.1. The Métis Nation Legislative Assembly shall be composed of:

3.1.1. The Provincial Métis Council ;

3.1.2. The Presidents of duly registered Locals of the Métis Nation-Saskatchewan ; and

3.1.3. Four Representatives of the Métis Women of Saskatchewan .

3.1.4. Four Representatives of the Métis Nation – Saskatchewan Youth Council. (Amended, November 2001)

3.1.5. In the event that a Local President is unable to attend the Métis Nation Legislative Assembly, the duly registered Local's Vice-President may represent the Local. (Amended, November 2001)

ARTICLE FOUR - VOTING AND QUORUM

4. In this Act:

4.1. Seventy-five (75) members of the Métis Nation Legislative Assembly constitutes a quorum of the Métis Nation Legislative Assembly.

4.2. The members shall be identified through a Roll Call registry at the Opening of the Legislative Assembly. The Roll Call will be used to determine quorum and voting.

4.3. Resolutions, ratification and appointments shall be made by a simple majority of the Roll Call, quorum being the minimum.

4.4. Constitutional amendments shall require seventy-five percent (75%) of the members of the Roll Call, quorum being the minimum.

4.5. Any decision ratified by the Métis Nation Legislative Assembly shall be binding on all Métis Nation-Saskatchewan citizens, subsidiary bodies and Affiliates.

ARTICLE FIVE - SPEAKER OF THE MÉTIS NATION LEGISLATIVE ASSEMBLY

5. The Speaker and Deputy Speaker will:

5.1. Be appointed by the Provincial Métis Council and ratified by the Métis Nation Legislative Assembly.

5.1.1. The term of appointment for the Speaker or Deputy Speaker will be for two years subject to re-appointment.

5.1.2. Appointments for Speaker and Deputy Speaker may be made from within or outside the Métis Nation Legislative Assembly.

5.2. Be responsible for the procedures, rules, debates and decorum of the Legislative Assembly.

5.3. Receive the list of members and seating arrangements of the Legislative Assembly from the Clerk as established by the Roll Call.

5.4. Approve all participation in debates and voting.

5.5. Secure a written record of the Legislative Assembly and certify the minutes.

5.6. Require Dumont 's Scout to expel for the remainder of the day any member or observer from the Legislative Assembly for failing to follow the ruling of the Speaker.

5.7. Ensure that only Legislative Assembly members are seated in the Assembly with all other observers seated in designated areas.

5.8. Approve all documentation to be circulated to Legislative Assembly members.

5.9. Also hold the seats of Chairperson and Co-chairperson of the Annual General Assembly.

ARTICLE SIX - CLERK

6. The Clerk of the Métis Nation Legislative Assembly will:

6.1. Be the Chief Executive Officer of the Métis Nation-Saskatchewan .

6.2. Be responsible for compiling the necessary documentation for the Order of the Day.

6.3. Be responsible for the agenda of the Métis Nation Legislative Assembly as directed by the Provincial Métis Council.

6.4. Obtain and hold a certified copy of the minutes from the Speaker of the Métis Nation Legislative Assembly.

6.5. Provide the certified minutes of the Métis Nation Legislative Assembly to the members of the Métis Nation Legislative Assembly.

6.6. Secure, by contract, an independent person or agency to duly record the minutes and procedures of the Métis Nation Legislative Assembly.

6.7. In the case of Appeals to the Métis Nation Legislative Assembly, verify that the Appellant has met the legislative and regulatory requirements for Appeal, and if so, forward the Appeal to the Provincial Métis Council for their consideration as an addition to the Agenda.

6.8. Be responsible for notifying the Appellant and Respondent of the status and decision regarding the request for Appeal to the Métis Nation Legislative Assembly.

6.9. Ensure that the necessary staff are in place for the running of the Assembly and may appoint a Deputy Clerk to assist in carrying out these duties.

6.10. Also hold the seat as Clerk at the Annual General Assembly.

ARTICLE SEVEN - SENATE

7. The Senate will:

7.1. Have a Ceremonial Role in the Métis Nation Legislative Assembly by:

7.1.1. Giving Opening and Closing Prayers

7.1.2. Swearing-In any new members

7.2. Table a report to the Métis Nation Legislative Assembly, including recommendations on any Appeals or Disputes, by submitting a written report to the Clerk prior to the thirty day deadline of the Métis Nation Legislative Assembly to be compiled in the Order of the Day.

7.3. Be available to the Métis Nation Legislative Assembly for clarification on any recommendations.

7.4. Be available to the Métis Nation Legislative Assembly for advice and direction as required.

ARTICLE EIGHT - DUMONT 'S SCOUT

8. In this Act:

8.1. Dumont 's Scout will be appointed by the Provincial Métis Council to maintain order and procedure during the Assembly.

ARTICLE NINE - REPORTING

9. With the exception of sittings of the Metis Nation Legislative Assembly to conduct special business, the following written reports will be tabled at the Métis Nation Legislative Assembly and included in the Order of the Day:

9.1. Executive Reports;

9.2. Regional Representative Reports;

9.3. Métis Women of Saskatchewan Report;

9.4. Ministerial Reports, including, where applicable, Affiliate reports and audits;

9.5. Senate Report;

9.6. Provincial Métis Youth Council Report; and

9.7. Any other reports required by the Constitution or Legislation.

ARTICLE TEN- MINUTES

10. In this Act:

10.1. The Minutes of the Métis Nation Legislative Assembly will be:

10.1.1. Contracted out to an independent person or agency.

10.1.2. Forwarded to the Clerk of the Legislative Assembly.

10.1.3. The Minutes of the last Métis Nation Legislative Assembly will be included in the Order of the Day.

ARTICLE ELEVEN - LEGISLATION

11. In this Act:

11.1. New Legislation:

11.1.1. Will be tabled with the Clerk as per Constitutional and legislative requirements and included in the Order of the Day.

11.1.2. May be tabled only by the members of the Metis Nation Legislative Assembly.

11.1.3. Be ratified by the Métis Nation Legislative Assembly.

11.1.4. Be given a date upon which it will come into force.

11.2. Legislative Amendments will:

11.2.1. Be tabled by a member of the Métis Nation Legislative Assembly with the Clerk at least thirty (30) days in advance of the Assembly and included in the Order of the Day.

11.2.2. Be ratified by the Métis Nation Legislative Assembly.

11.2.3. Be given a date upon which it will come into force.

11.3. The President of the Métis Nation Legislative Assembly shall cause a certified copy of the Act and of any amendments made to it to be deposited in:

11.3.1. The legislative record of the Métis Nation Legislative Assembly held by the Secretary of the Métis Nation Legislative Assembly and situated in the Métis Nation-Saskatchewan's head office;

11.3.2. The regional offices of the Métis Nation-Saskatchewan ; and

11.3.3. Such other places as the President considers necessary.

ARTICLE TWELVE - CONSTITUTION

12. Constitutional Amendments will:

12.1. Be forwarded to the Clerk according to Constitutional requirements and be included in the Order of the Day, if one of the two following conditions are met:.

12.1.1. Include approval by the Provincial Métis Council by virtue of signatures or resolution attached to the proposed constitutional amendment; or

12.1.2. Include approval by five (5) members of the Métis Nation Legislative Assembly by virtue of signatures attached to the proposed constitutional amendment.

ARTICLE THIRTEEN - APPEALS

13. By this Act:

13.1. A person may Appeal to the Métis Nation Legislative Assembly on citizenship, provided they have fulfilled the legislative requirements of the citizenship appeal process, by submitting a written report to the Clerk forwarded by registered mail including the grounds of their Appeal, any correspondence regarding the Appeal and the ruling of the Citizenship Appeal Board.

13.2. A person may Appeal to the Métis Nation Legislative Assembly on an election, provided they have fulfilled the legislative requirements of the election appeals process, by submitting a written report to the Clerk forwarded by registered mail including the grounds of their Appeal, any correspondence regarding the Appeal and the ruling of the Métis Election Commission.

13.3. The Métis Nation Legislative Assembly shall have the right to determine how it will deal with such Appeals, by either:

13.3.1. Adoption of the ruling of the Métis Election Commission or the Citizenship Appeal Board; or

13.3.2. Hear arguments based on the findings of fact by the Métis Election Commission or the Citizenship Appeal Board.

13.4. Where the Assembly chooses to hear arguments, the following procedure will be followed:

13.4.1. The Appellant and Respondent will be each given five (5) minutes to present their argument and two (2) minutes each to reply.

13.4.2. The Métis Nation Legislative Assembly will then render a decision through resolution.

13.5. Where a member of the Métis Nation Legislative Assembly is in a situation of conflict of interest on the matter at hand, the member must remove him/herself from the appeal process at the Assembly by declaring the conflict and refraining from debating and voting while the conflict remains.

ARTICLE FOURTEEN - PROCLAMATIONS

14. The Métis Nation Legislative Assembly is responsible to proclaim:

14.1. The date of the next Métis Nation-Saskatchewan election, as set out in the Election Act.

14.2. Holidays and days of commemoration, such as Louis Riel Day.

ARTICLE FIFTEEN - AFFILIATES

15. In this Act:

15.1. As per Article 14. 1. A of the Métis Nation-Saskatchewan Constitution, the Métis Nation Legislative Assembly, on behalf of the Métis Nation-Saskatchewan, shall exercise all voting rights, powers, and duties of ownership in relation to the affiliates, based upon the recommendation of the Provincial Métis Council.

15.2. The Affiliates will be responsible to submit an annual report including the audit to the Métis Nation Legislative Assembly through their Minister.

ARTICLE SIXTEEN - ENACTMENT

16. This Act:

16.1. Comes into force upon ratification by the Métis Nation Legislative Assembly.

16.2. Is binding on all citizens of the Métis Nation-Saskatchewan and its Affiliates and organizations.

16.3. Has received ratification by the Métis Nation Legislative Assembly this 6th day of November, 1999.

Appendix 4.5: Métis Nation-Saskatchewan Senate Act

Métis Nation of Saskatchewan

Senate Act

Ratified November 6, 1999

Amended November, 2001

ARTICLE ONE - TITLE

1. This Act may be cited as "The Métis Nation-Saskatchewan Senate Act, 1999."

ARTICLE TWO - INTERPRETATION

2. In this Act:

2.1. "Act" shall mean the Métis Nation-Saskatchewan Senate Act.

2.2. "Métis Nation Legislative Assembly" shall mean the governing authority of the Métis Nation-Saskatchewan , as set out in the Constitution.

2.3. "Ordinarily Resident" shall mean the Region to which the person is registered as a member and the Region of the member's fixed home address to which whenever he/she is absent he/she has the intention of returning.

2.4. "Region" shall mean Regions as determined by the Métis Nation-Saskatchewan Constitution.

2.5. "Senate" shall mean the Métis Nation-Saskatchewan Senate.

2.6. "Senator" shall mean a member of the Métis Nation-Saskatchewan Senate.

ARTICLE THREE - MANDATE AND POWERS OF THE SENATE

3. The Senate shall:

3.1. Act as the judicial arm of the Métis Nation-Saskatchewan and where provided in the Constitution, shall be available for consultation by the Métis Nation Legislative Assembly in fulfilling its mission under the Métis Nation-Saskatchewan Constitution;

3.2. Be subject to the authority of this Act and the Métis Nation Legislative Assembly.

3.3. Be represented by one Senator per Region and one Senator to be appointed by the Métis Women of Saskatchewan.

3.4. Designate one Senator as the Chairperson of the Senate.

ARTICLE FOUR - QUALIFICATIONS FOR A SENATOR

4. A person is eligible for appointment to the Senate if he/she:

4.1.1. Is a citizen of the Métis Nation-Saskatchewan .

4.1.2. Is appointed by the membership at an area meeting or

4.1.3. Is an appointee of the Métis Women of Saskatchewan, appointed by their general assembly.

4.1.4. Is ordinarily resident in the Region of appointment.

4.1.5. Is non-partisan.

4.1.6. Is non-political, including Federal, Provincial and Métis governments.

4.1.7. Is at least fifty-five (55) years of age.

4.1.8. Has not been convicted of an indictable offence within five (5) years of appointment to the Senate, and has exhausted all appeals.

ARTICLE FIVE - APPOINTMENT AND RATIFICATION OF SENATORS

5. Senate appointments:

5.1. Shall be made by the membership by a show of hands or by ballot at a duly called area meeting, or in the case of the Métis Women of Saskatchewan by their general assembly.

5.2. Shall be forwarded in writing to the President of the Provincial Métis Council and the Senate Chairperson by the official charged with recording the minutes of the meeting at which the appointment was made. The submission will include a copy of the minutes of the meeting, indicating the motion.

5.3. Forwarded to the President of the Provincial Métis Council and the Senate Chairperson shall be accompanied by a resume and biography of the Senator.

5.4. Shall be sworn in by the Senate at their next meeting, if the conditions under Section 4 of this Act are met.

ARTICLE SIX - TERM AND REMOVAL OF OFFICE

6. In this Act:

6.1. The term of office for a Senator shall be for life:

6.2. Notwithstanding Article 6.1, the term of office of a Senator shall terminate if a Senator is:

6.2.1. Disqualified for violating any part of this Act or

6.2.2. Is unable to fulfil his/her duties on a permanent basis.

6.3. The term of office for the Chairperson of the Senate shall be:

6.3.1. For three years or until a written resignation is tabled at a Senate meeting.

6.3.2. Subject to reappointment by the Senate.

6.4. A Senator shall be removed from office by the Senate:

6.4.1. For being convicted of an indictable offence and all appeals are exhausted.

6.4.2. If he/she takes up residency outside of the province of Saskatchewan .

6.4.3. For actions unbecoming the stature of a Senator while holding office.

6.4.4. By voluntarily resigning in writing to the Chairperson of the Senate.

6.5. A Senator shall take a leave of absence from the office of the Senate for being charged with an indictable offence.

ARTICLE SEVEN - CODE OF ETHICS / STANDARDS OF CONDUCT

7. Each Senator shall comply with the following Code of Ethics / Standards of Conduct:

7.1. Function as a collective unit representing, serving and protecting the best interest of the Métis people and the Constitution of the Métis Nation-Saskatchewan and shall not sit on any elected local position nor serve on any regional or provincial Affiliate board including urban councils and advisory committees.

7.2. Understand that the Senate shall be driven by consensus, and any decisions or actions by a Senator without the authorization and approval of the Senate body shall be deemed null and void and therefore have no force and effect upon the Senate as a whole.

7.3. Devote time, thought and study to the responsibilities of a Senator necessary to render effective credible service in the Senate.

7.4. Encourage full and open dialogue in all matters with other members of the Senate.

7.5. Remove themselves from any committee of the Senate if they are in conflict of interest in carrying out the duties of that committee, pursuant to the applicable legislation.

ARTICLE EIGHT - COMMITTEES OF THE SENATE

8. Pursuant to this Act:

8.1. The Senate shall establish any such committees as are required by the Métis Nation-Saskatchewan Constitution or Legislation and as required to carry out the following duties:

8.1.1. Mediation and Arbitration

8.1.2. Veteran's Affairs

8.1.3. Central Registry and Citizenship Appeals

8.1.4. Regional and Local Disputes

8.1.5. Management of the Métis Nation-Saskatchewan during Election Period

8.1.6. Ceremonial Activities and Exchanges

8.1.6.1.Conducting Opening / Closing Prayers

8.1.6.2.Directing Swearing-In Ceremonies and Oaths

8.1.6.3.Presenting Awards and Gifts of Recognition

8.1.6.4.Displaying Métis Flags and Sashes.

8.2. The Senate shall appoint one Chairperson for each committee to serve as the spokesperson for that committee.

8.3. The Senate may delegate by resolution, the decision-making authority of any committee of the Senate to be the voice of the Senate and subject to ratification by Senate majority, unless otherwise provided in the Constitution or legislation.

ARTICLE NINE - QUORUM AND VOTING

9. To conduct official Senate business:

9.1. A simple majority of the Senators will constitute a quorum.

9.2. A quorum must be present at a meeting of the Senate, or at any meeting of a committee of the Senate.

9.3. Decisions made by a quorum of the Senate binds all members of the Senate to the motions and resolutions passed.

ARTICLE TEN - FINANCES

10. In order for the Senate to function:

10.1. Where fiscal resources are available, the Métis Nation-Saskatchewan , in accordance with the laws and regulations of the Métis Nation-Saskatchewan Treasury Board, shall provide financial resources to the Senate as required for the purposes of carrying out this Act.

10.2. Such resources shall be within the means available to the Métis Nation-Saskatchewan for such purposes.

10.3. The Chairperson of the Senate shall make formal written request to the Métis Nation-Saskatchewan Treasury Board for all expenditures of the Senate.

10.4. The Métis Nation-Saskatchewan shall actively pursue fiscal resources for the functions of the Senate.

10.5. Regions or Locals that require the involvement of the Senate to resolve disputes, will be responsible for Senate travel expenses and honorariums, until such time that the Métis Nation-Saskatchewan is able to provide resources to the Senate, as per Section 10.1 of this Act.

10.6. The Métis Nation-Saskatchewan will be responsible for travel expenses and honorariums for the Senate while conducting official Senate business, pursuant to this Act.

ARTICLE ELEVEN - RECORD KEEPING AND REPORTING PROCEDURES

11. In this Act:

11.1. The Senate shall keep written minutes of all meetings.

11.2. The minutes of Senate meetings shall be held by the Chairperson of the Senate.

11.3. The Senate shall submit an annual written report to be tabled with the Métis Nation Legislative Assembly thirty days prior to the Assembly to be included in the Order of the Day.

11.4. Before any Senate hearing, all Métis involved shall be sent a registered letter informing them of the proposed hearing.

11.5. An application to the Senate must be made in writing by registered letter outlining in detail the grievance(s).

11.6. All decisions of the Senate shall be recorded and one copy shall be sent by registered letter to each of the provincial head office, regional office and the parties involved.

ARTICLE TWELVE - GRANDFATHER CLAUSE

12. In this Act:

12.1. All existing Senators are grandfathered to this Act and will continue to act as Senators until their terms have expired, pursuant to this Act.

ARTICLE THIRTEEN - ENACTMENT

13. This Act:

13.1. Comes into force upon ratification by the Métis Nation Legislative Assembly.

13.2. Is binding on all citizens of the Métis Nation-Saskatchewan and its Affiliates and organizations.

13.3. Repeals all former Senate legislation.

13.4. Has received ratification from the Métis Nation Legislative Assembly this 6th day of November, 1999.

Appendix 4.6: Métis Nation-Saskatchewan Elections Act

Métis Nation-Saskatchewan

Election Act

Ratified November 6, 1999

Amended November 2001

Amended December 2002

Amended July 4, 2003

ARTICLE ONE - TITLE

1. This Act may be cited as "The Métis Nation-Saskatchewan Election Act, 1999."

ARTICLE TWO - INTERPRETATION

2. In this Act:

2.1. "Act" shall mean the Métis Nation-Saskatchewan Election Act.

2.2. "Appeals" shall mean any Appeal of an election by an elector for an act seen to have breached this Election Act, including breach of the Code of Conduct, Conflict of Interest, Eligibility, and breach of Election Regulations.

2.3. "By-election" shall mean an election called to fill a vacancy within the Provincial Métis Council.

2.4. "Candidate" shall mean any individual who is nominated as a Candidate for the election.

2.5. "Chief Electoral Officer" shall mean the individual appointed by the Métis Elections Commission to carry out the duties set out in this Act.

2.6. "Commissioner" shall mean any Senator who is appointed by the Métis Nation Legislative Assembly to the Métis Elections Commission.

2.7. "Election" shall mean an election called by the Métis Nation Legislative Assembly to elect Executive Members or Regional Representatives.

2.8. "Election Officers" shall mean any individual appointed by the Métis Elections Commission to carry out the duties under this Act under the supervision of the Chief Electoral Officer.

2.9. "Elector" shall mean any citizen of the Métis Nation-Saskatchewan who is eligible to cast a ballot pursuant to the eligibility requirements of this Act.

2.10. "Electoral List" shall mean a list made pursuant to this Election Act naming those citizens entitled to cast a ballot at an election.

2.11. " Frivolous Court Action" shall mean any suit that is brought against the Métis Nation-Saskatchewan and dismissed by a Court of Law for having no basis in law or fact.

2.12. "Métis Elections Commission" shall mean the Métis Nation-Saskatchewan Métis Elections Commission.

2.13. "Métis Nation Legislative Assembly" shall mean the governing authority of the Métis Nation-Saskatchewan , as set out in the Constitution.

2.14. "Nominator" shall mean any citizen of the Métis Nation-Saskatchewan who under this Act is eligible to nominate a candidate for an election.

2.15. "Ordinarily Resident" shall mean the Region to which the elector is registered as a citizen and the Region of the citizen's fixed home address to which whenever he/she is absent he/she has the intention of returning.

2.16. "Poll Book" shall mean the list of names of citizens who have received ballots at an election pursuant to this Act.

2.17. "Polling Station" shall mean a place established in each Local where an elector casts his/her vote and which is set up pursuant to this Act.

2.18. "Region" shall mean regions as determined in the Métis Nation-Saskatchewan Constitution.

2.19. "Senate" shall mean the Métis Nation-Saskatchewan Senate.

2.20. "Scrutineer" shall mean an elector who is authorized in writing to represent a candidate at a polling station pursuant to this Act.

ARTICLE THREE - MÉTIS NATION LEGISLATIVE ASSEMBLY

3. In this Act:

3.1. The Métis Nation Legislative Assembly shall announce the date for the election by Proclamation, of the Executive and Regional Representatives, based upon the day specified in the Constitution.

3.1.1. The Métis Nation Legislative Assembly is responsible to proclaim the date for an election at least one hundred and twenty (120) days prior to election day to allow for the compilation of the electoral list.

3.1.2. The Provincial Métis Council is hereby granted the authority to set the date for any by-elections as provided in the Constitution, that is within ninety (90) days of a vacancy occurring.

3.2. The Métis Nation Legislative Assembly, based on recommendations of the Senate, shall appoint three Senators to sit on the Métis Elections Commission.

3.3. The Métis Nation Legislative Assembly shall also appoint one Senator as alternate, in the event of death, illness, resignation or Conflict of Interest pursuant to this Act, to the Métis Elections Commission.

3.4. The Métis Nation Legislative Assembly has the final decision on any Appeals under this Act.

3.5. The Métis Nation Legislative Assembly has the responsibility to determine remuneration of the Métis Elections Commission.

3.6. All granting of new Citizenship Cards to the Métis Nation-Saskatchewan shall be suspended from the date of the close of the Electoral List until the day after the general election is held.

3.7. The Provincial Métis Council is hereby granted the authority to develop election regulations, pursuant to this Act.

ARTICLE FOUR - MÉTIS ELECTIONS COMMISSION

4. In this Act:

4.1. The Métis Elections Commission shall be composed of three members of the Senate, appointed by the Métis Nation Legislative Assembly, based upon the recommendations of the Senate.

4.2. The Métis Elections Commission Commissioners shall meet the requirements of the Code of Conduct pursuant to this Act.

4.3. The Métis Elections Commission shall have sole authority and responsibility to conduct elections or by-elections pursuant to this Act and shall be independent and answerable only to the Métis Nation Legislative Assembly.

4.4. The Métis Elections Commission shall set the dates for Revision to the Electoral List.

4.5. The Métis Elections Commission shall appoint a Chief Electoral Officer.

4.6. The Métis Elections Commission shall appoint the Local Returning Officers and Poll Clerks required to conduct an election, based on the recommendation of the Chief Electoral Officer.

4.7. The Métis Elections Commission shall be responsible for all election Appeals, the decision of which is final and binding, subject only to appeal to the Métis Nation Legislative Assembly.

ARTICLE FIVE - CHIEF ELECTORAL OFFICER

5. The Chief Electoral Officer shall:

5.1. Meet the requirements of Eligibility, Code of Conduct and Conflict of Interest provisions pursuant to this Act.

5.2. Not have filed a Frivolous Court Action against the Métis Nation-Saskatchewan in the last three (3) years.

5.3. Not have been convicted of an indictable offence within five years (5) prior to the Election Proclamation.

5.4. Set, manage and conduct the election according to this Act.

5.5. Recommend to the Métis Elections Commission for appointment all election officers and other required personnel. The Chief Electoral Officer must only recommend election officers that meet the requirements of Eligibility, Code of Conduct and Conflict of Interest provisions pursuant to this Act. Election officers can not have brought a Frivolous Court Action against the Métis Nation-Saskatchewan within the last three (3) years.

5.6. Guide and supervise election officers with respect to the conduct of the election.

5.7. Ensure that all election officers conduct their duties in compliance with this Act.

5.8. Prepare, print and distribute forms for use pursuant to this Act.

5.9. Publish the place and hours fixed for the nomination of Candidates and the date fixed for the closing of nominations.

5.10. Accept letters of withdrawal from candidates, nominations, letters of appointment for scrutineers and candidate's letters of leave of absence from Métis Nation-Saskatchewan and Métis Nation-Saskatchewan 's Affiliate organizations and the one-hundred dollar ($100.00) bonds submitted with nominations.

5.11. Compile and distribute to each polling station, a final Electoral List, pursuant to this Act, prior to the Election day.

5.12. Reconcile all ballots for both unofficial and official counts, and prepare an official election report for the Métis Elections Commission.

5.13. Publicly declare to be elected the candidate or candidates having the greatest number of votes.

ARTICLE SIX - ELIGIBILITY

6. In order to participate in an election, the participant shall:

6.1. Be a citizen of the Métis Nation-Saskatchewan .

6.2. Be at least sixteen (16) years of age on the day of the election.

6.3. Be a resident of Saskatchewan who has resided therein for at least six months prior to the date of the close of nominations.

6.4. In order to vote for a regional representative, have been a resident of Saskatchewan and ordinarily resident in the region for at least six months prior to the date of the close of nominations.

ARTICLE SEVEN - ELECTORS

7. In order to cast a ballot in an election, an elector shall:

7.1. Meet the requirements of Eligibility pursuant to this Act.

7.2. Prior to the close of the Electoral List, transfer his/her citizenship to the Local where he/she is ordinarily resident.

7.3. Be on the Electoral List on Election Day.

7.4. Vote at the polling stations closest to where they are registered and ordinarily resident, pursuant to Article 7.2 of this Act. Electors may request of the Chief Electoral Officer that they be placed on the list of another polling station and such determinations shall be at the discretion of the Chief Electoral Officer. Adequate identification will have to be supplied by the elector to the election official, if such a request is made and a Declaration Form will have to be completed and signed.

7.5. Meet the requirements of the Code of Conduct at the polling station in accordance with this Act.

7.6. Notwithstanding s.7.3, a member/citizen who has been missed from inclusion on the Electoral List upon the signing of a Declaration Form, accompanied by producing his/her Métis Nation – Saskatchewan membership/citizenship card shall be added to the Electoral List and allowed to vote. (Amended July 4, 2003)

ARTICLE EIGHT - ELECTORAL LIST

8. The Electoral List shall:

8.1. List all of the Electors eligible to vote in an election.

8.1.1. The Electors shall be listed by Local.

8.2. Be compiled by the Chief Electoral Officer from the most recent Local Citizenship Lists on file at the Métis Nation-Saskatchewan Office.

8.3. a) Be revised only during a publicly announced revision period. The revision period shall be between the date of the Election Proclamation and twenty days prior to election day to a maximum period of one hundred days.

b) The draft Electoral List shall be posted in the Regions and Locals and be accessible to all Métis citizens. (Amended July 4, 2003)

8.4. Upon provision of evidence to the satisfaction of the Chief Electoral Officer, of a legitimate error or omission, a citizen can have his/her name added to, or removed from the Electoral List during the revision period.

8.5. Be posted in each polling station on Election Day.

8.6. Be made available to the candidates.

ARTICLE NINE - NOMINATION OF CANDIDATES

9. In this Act:

9.1. Any citizen of the Métis Nation-Saskatchewan is eligible to be nominated as a candidate if on the day his/her nomination papers are filed he/she:

9.1.1. Meets the requirements of Eligibility pursuant to this Act;

9.1.2. Has not filed a Frivolous Court Action against the Métis Nation-Saskatchewan within the last three (3) years;

9.1.3. Has not been convicted of an indictable offence within five years (5) prior to the Election Proclamation;

9.1.4. If seeking to be a candidate for Regional Representative, is ordinarily resident in the region for which he/she seeks nomination; and

9.1.5. Has not been charged with an indictable offence.

9.1.6. Has met the conditions in 9.3.

9.2. Any citizen of the Métis Nation-Saskatchewan is eligible to nominate a candidate if he/she meets the requirements of Eligibility pursuant to this Act;

9.3. All nominations for the Executive and the Regional Representatives of the Provincial Métis Council shall be submitted to the Chief Electoral Officer and shall include the following:

9.3.1. The signature of the nominator;

9.3.2. A letter of acceptance from the potential candidate;

9.3.3. A non-refundable bond of one-hundred dollars ($100.00) which shall be deposited by the Chief Electoral Officer into the electoral fund; and

9.3.4. A minimum of five (5) additional individual citizens who shall attest their support of the nomination by signing the nomination form, and if nominating a candidate for Regional Representative, these citizens must be ordinarily resident within the region.

9.3.5. Any candidate who accepts a nomination for the Executive or for Regional Representative of the Provincial Métis Council must, if employed by the Métis Nation-Saskatchewan or any of its Affiliates, apply for a leave of absence from such employment at least thirty (30) days prior to the Election Date, effective on the date he/she files such nomination. All such applications for a leave of absence shall be granted. Proof of the leave of absence shall be tendered in writing to the Chief Electoral Officer along with the nomination and the candidate's letter of acceptance for the nomination.

9.3.6. Proof accepted by the Chief Electoral Officer that he/she has not been charged with, nor convicted of, an indictable offence as provided in 9.1.3 and 9.1.5 through the filing of CPIC criminal record check documentation.

ARTICLE TEN - SCRUTINEERS

10. Scrutineers shall:

10.1. Meet the requirements of the Eligibility and Code of Conduct provisions pursuant to this Act.

10.2. Not have been convicted of an indictable offence within five (5) years prior to the Election Proclamation.

10.3. Present a letter of authorization from their respective Candidate for the purpose of identifying themselves at the polling station.

10.4. Have been appointed by their candidate to represent him/her at that polling station, and to observe the election procedures on his/her behalf. Only one Scrutineer per candidate may be present in the polling area at any one time.

10.5. Not impede, prevent, or otherwise interfere in any way with the free exercise of the elector's right to vote or in any way compel, induce or prevail on an elector to vote or to refrain from voting.

ARTICLE ELEVEN - SECRECY OF VOTING

11. In this Act:

11.1. Voting in the election shall be by secret ballot.

11.2. No person shall interfere or attempt to interfere with an elector who is marking his/her ballot or casting his/her vote or otherwise attempt to obtain at the polling station information as to the candidate or candidates for whom an elector at that polling station is about to vote or has voted

11.3. Each election officer, candidate and scrutineer in attendance at a polling station or at the counting of the ballots shall assist in maintaining the secrecy of the voting and shall not communicate or attempt to communicate any information obtained at the polling place regarding which candidate an elector has voted for or is about to vote for.

ARTICLE TWELVE - CODE OF CONDUCT

12. In this Act:

12.1. No person shall disturb the peace and good order at a polling place or a place where election proceedings are underway.

12.2. The Chief Electoral Officer or his/her designate may cause to remove any person who is disrupting or otherwise interfering at a polling place or a place where election proceedings are underway.

12.3. No person shall unlawfully take down, cover up, mutilate, deface or alter an election proclamation, notice or other document required to conduct an election pursuant to this Act.

ARTICLE THIRTEEN - CONFLICT OF INTEREST

13. In this Act:

13.1. The Commissioners and the Chief Electoral Officer shall not be in a Conflict of Interest respecting their duties;

13.2. Conflict of Interest will exist when:

13.2.1. An immediate family member is a candidate or employee or official in the election. An immediate family member is defined as father, mother, stepfather, stepmother, foster parent, brother, sister, spouse (including a common law spouse), child (including a child with a common law spouse), ward, father-in-law, mother-in-law or relative permanently residing with an election official.

13.2.2. Any close personal or business associate is a candidate or employee or official in the election.

13.3. In such a case where a Commissioner or Chief Electoral Officer are in Conflict of Interest, he/she will be required to:

13.3.1. Reveal his/her interest in or in connection to the candidate, employee or official; and

13.3.2. Shall tender his/her written resignation from the Commission or as Chief Electoral Officer as the case may be.

ARTICLE FOURTEEN - FINANCES

14. In this Act:

14.1. The Métis Nation Legislative Assembly, based upon the recommendations of the Provincial Métis Council, shall determine the rate of remuneration and expense accounts for the Commissioners.

14.2. There shall be paid out of the General Fund such sums as are required to meet the monetary obligations of the Métis Nation-Saskatchewan under this Act and approved by the Métis Nation Legislative Assembly.

ARTICLE FIFTEEN - ASSUMPTION OF OFFICE

15. The procedure for Assumption of Office shall be:

15.1. The newly elected Executive and the Regional Representatives of the Provincial Métis Council shall take office the day after election day, and must take an Oath of Office within thirty (30) days of the announcement of official election results.

ARTICLE SIXTEEN - VACANCY OF OFFICE

16. In this Act:

16.1. An office of the Provincial Métis Council is considered vacant when a person who holds that office:

16.1.1. Dies;

16.1.2. Resigns in writing from his/her office; or

16.1.3. Is convicted of an indictable offence and has exhausted such appeals to any appeal courts; or

16.1.4. Ceases to qualify as a candidate by virtue of the membership or residency provisions referred to in Article Six - Eligibility hereof.

16.2. A member of the Provincial Metis Council shall take a leave of absence upon being charged of an indictable offence until the matter is dealt with.

ARTICLE SEVENTEEN - ENACTMENT

17. This Act and Regulations:

17.1. Comes into force upon ratification by the Métis Nation Legislative Assembly.

17.2. Is binding upon all citizens of the Métis Nation-Saskatchewan and its Affiliates and organizations.

17.3. Repeals all former election legislation and regulations.

17.4. Has received ratification by the Métis Nation Legislative Assembly on this 6th day of November, 1999.

Appendix 4.7: Métis Nation-Saskatchewan Election Regulations

Metis Nation Of Saskatchewan

Election Regulations

GENERAL APPLICATION

1. These regulations apply to general elections and by-elections.

ELECTION OFFICERS

2. Qualifications of Election Officers

2.1. All election officers must meet the requirements of Eligibility and Code of Ethics as set out in the Metis Nation of Saskatchewan Election Act.

2.2. Election officers must not have been convicted of an indictable offence within five (5) years prior to the Election Proclamation.

2.2.1. The Chief Electoral Officer shall recommend to the Metis Election Commission appointments for all election officers based on the recommendations of the Local. The Chief Electoral Officer shall supervise and appoint for each Local where a polling station is established a Deputy Returning Officer and a Poll Clerk.

2.2.2. Deputy Returning Officers and Poll Clerks

2.2.2.1. A person appointed as either a Deputy Returning Officer or a Poll Clerk shall hold office from the time appointed until thirty (30) days after the election or by-election.

2.2.2.2. Deputy Returning Officers and Poll Clerks shall be paid at a remuneration rate as set out by the Metis Elections Commission and approved by Metis Nation of Saskatchewan.

ELECTORAL LIST

3. Qualification of Electors

3.1. In order to participate in an election, the participant shall meet the Eligibility requirements as set out in the Election Act.

3.2. An elector shall have only one place of residence for purposes of these regulations. If a participant claims to have two or more residences, then for the purposes of these regulations, he/she must select and declare to the Chief Electoral Officer one of the residences to be his/her actual residence.

3.3. An elector is entitled to only one vote for each office for which an election is held.

3.4. An elector must be listed on the Electoral List on Election Day in order to participate in the election.

4. Revision Procedures

4.1. The Chief Electoral Officer will forward to the Local Presidents a temporary Electoral List which is compiled from the Metis Local membership lists on file at the Metis Nation of Saskatchewan Registry Office. The Local Presidents will be responsible for submitting to the Chief Electoral Officer the names and contact information of any new members and striking the names of members who have since deceased or transferred from their Local registry.

4.2. The Chief Electoral Officer will revise the temporary Electoral List and ensure that the revised Electoral List is posted in a public place in each Local community.

4.3. Members will be responsible for verifying that their name is on the Electoral List.

4.4. An elector is responsible to transfer their Local membership to the Local where they are ordinarily resident, pursuant to the Election Act, Article 7.4.

4.5. If a member wishes to mover his/her name to the Electoral List of another Local to meet residency requirements and Article 4.4. above, the member shall make a written request to the Local President of the Local in their area of residency, carbon copying a letter to the President where they were originally registered. Or, an elector can request to have his/her name transferred from their Local Electoral List to an alternate Local Electoral List. These changes may be done by:

4.5.1. Writing to the Chief Electoral Officer and making such a request.

4.5.2. Including verification of residency with adequate documentation (drivers license, picture ID, Income Tax return from the most recent tax year); or

4.5.3. Stating that the elector will be away from the Local where they are registered and wishes to vote at another poll.

4.6. All requests for revision of the electoral list must be processed by the Chief Electoral Officer during the period of time set for revision of the Electoral List. No requests for revision will be accepted or processed on Election Day.

5. Distribution for Election Day

5.1. The Electoral List will identify members by the Local where they hold their membership. A copy of the Local list of members on the Electoral List will be distributed to each Local, to be posted by the election staff at the polling station for that Local.

5.2. Regional Electoral Lists will be compiled by the Chief Electoral Officer and be made available to all candidates in the election.

6. Verification

6.1. The membership lists on file at the Metis Nation of Saskatchewan Registry Office will be forwarded to the Local Presidents, for update of new or transferred memberships. The updated lists will then be used to develop the Electoral List.

CANDIDATES

7. Qualifications

7.1. Qualifications of candidates are subject to the requirements of the Election Act.

8. Nomination Procedures

8.1. Nominations of candidates for any elected position shall be filed with the Chief Electoral Officer not less than thirty (30) days prior to Election Day. Nominations may be received any time up to 5:00 o'clock in the afternoon thereof at such place and date as is appointed by the Chief Electoral Officer.

8.2. A nomination must comply with the requirements as set out in the Election Act.

9. Where No Candidates Nominated

9.1. In the event that no nominations of a candidate for a particular position is received by the Chief Electoral Officer, the Chief Electoral Officer shall then set an additional day for the receipt of additional nominations for the remaining positions. These nominations shall be received prior to 5:00 o'clock in the afternooon thereof at such place and date as is appointed by the Chief Electoral Officer.

10. Proceedings on Acclamation

10.1. Where the Chief Electoral Officer pursuant to the Election Act receives only one nomination of a candidate for a particular position, the Chief Electoral Officer shall declare that candidate whose nomination was received by the deadline set out herein as being elected.

11. Procedures at Polls

11.1. Within ten (10) days after the nomination deadline, the Chief Electoral Officer will have posted in each Regional Office and within each Local a notice showing:

11.1.1. The names of the candidates nominated and

11.1.2. The date and time and place where polls will be open for the taking of votes for the candidates nominated.

12. Withdrawals

12.1. Any candidate nominated for any particular office may tender a withdrawal in writing to the Chief Electoral Officer before 2:00 o'clock in the afternoon on the second day following the date for nomination deadline.

13. Scrutineers

13.1. Qualification of scrutineers shall be pursuant to the Election Act.

13.2. One scrutineer is allowed per candidate per polling station, pursuant to the Election Act.

13.3. Scrutineers are allowed to be in attendance during voting and at all ballot counts.

ELECTION POLLS

14. Qualification of Electors

14.1. The election officer shall immediately before the commencement of the poll, showe the ballot box to such persons as are present in the polling place so that they may see that it is empty and then shall lock the box and place his/her seal upon it in such a manner as to prevent it from being opened without breaking the seal and he/she shall place the box in plain view for the receipt of ballot papers and shall keep it locked and sealed during the hours of voting.

14.2. In the event that the ballot box leaves the polling station during the hours of voting, the ballot papers within the box shall be considered invalid.

14.3. For the purpose of these regulations, no polling station shall be established in a motorized vehicle such as automobiles, motor homes, trailers, buses, etc.

14.4. No polling place shall be established by the Chief Electoral Officer in premises in which a candidate has any legal interest or estate.

14.5. The polling place shall be accessible to disabled and handicapped persons.

14.6. Polling shall begin at 8:00 a.m. and close at 8:00 p.m. on election day.

14.7. Where a person claiming to be an elector presents him/herself at the polling station for the purpose of voting, the electoral staff shall proceed as follows:

14.7.1. Verify that the elector's name is on the Electoral List. A person who is not named on the Electoral List of that polling station is not entitled to case a vote.

14.7.2. If an elector wishes to be placed on the Electoral List of another Local, he/she may request to do so during the revision period for the Electoral List by doing the following:

14.7.2.1. During the revision period, an elector may make a request to the Chief Electoral Officer to vote at a polling station to which they are not listed on the Electoral List of that polling station.

14.7.2.2. The elector shall provide to the Chief Electoral Officer proper identification, such as a Metis membership card, a driver's license, a Saskatchewan Health Card, or picture identification and can state the name of the Local to which they are registered as a member.

14.7.2.3. The Chief Electoral Officer will verify that the elector is indeed on the Electoral List at the polling station stated by the elector.

14.7.2.4. The Chief Electoral Officer may authorize the transfer.

14.7.3. If the elector's name is on the Electoral List of that polling station, then the elector shall present his/her proper identification to the election officer for verification.

14.7.4. If all above requirements have been met, the election officer shall require the elector to sign his/her name opposite the place where it appears in the Poll Book maintained by the election officer.

14.7.5. The Election officer will explain to the elector as concisely as possible the way in which voting is to be done, including but not limited to the following:

14.7.5.1. That the elector may vote for only one candidate for each position;

14.7.5.2. That the elector should indicate his/her choice by making an "X" in the space beside the name of the candidate he/she supports;

14.7.5.3. That the elector must vote alone;

14.7.5.4. That the elector should fold the ballot paper across in the same manner as it was folded when delivered to him/her by the election officer so as to expose the initials of the election officer but to not expose the front of the ballot paper so as to indicate the candidate or candidates for whom he/she has voted.

14.7.5.5. Before allowing the elector to deposit their ballot paper in the ballot box, the election officer shall verify their own initials on the ballot paper and instruct the elector to deposit their ballot paper in the ballot box.

14.8. In the event there is more than one Local in a community, one polling centre will be established to accommodate all polling stations.

15. Code of Conduct

15.1. No person shall interfere with or attempt to interfere with an elector when marking his/her ballot paper or casting his/her vote or otherwise attempt to obtain at the polling station information as to the candidate or candidates for whom an elector is about to vote or has voted.

15.2. No campaign material, literature or activity shall be permitted within the polling station. For purposes of these regulations, campaigning activity includes the continued presence of the candidate or his/her representative but not the continued presence of the duly appointed scrutineer, and includes any activity intended to influence voting.

BALLOTS

16. Ballot Papers

16.1. Where a poll is established, the Chief Electoral Officer shall forthwith cause to be printed a sufficient number of ballot papers for the purposes of the election.

17. Contents of Ballot Papers

17.1. Every ballot paper shall contain the name of the duly nominated candidates which shall be arranged alphabetically in the order of their surnames and, if there are two or more candidates with the surnames, then in the order of their given names.

17.2. The ballot papers shall be in the form prescribed by the Chief Electoral Officer.

18. The Marking of Ballots

18.1. Upon receipt of a ballot paper by an election official, the elector shall forthwith proceed to the voting compartment provided for the purpose and shall there and then mark his/her ballot paper by placing a mark on the right hand side opposite the name of the candidate for whom he/she desires to vote.

19. Spoiled and Declined Ballots

19.1. Immediately after the closing of the poll, the election officer in the presence of all election officers and the scrutineers present, shall count the number of spoiled and declined ballots, place them in an envelope marked "Spoiled and Declined Ballots", seal the envelope and endorse thereon the number of such ballots therein contained.

20. Ballots to be Rejected

20.1. The election officer shall reject any ballot that:

20.1.1 Has not been supplied by him/her and initialed;

20.1.2. Has not the symbol "X" marked thereon;

20.1.3. Has the symbol "X" marked opposite the names of more candidates than are to be elected;

20.1.4. Has the symbol "X" and some other figure set opposite the name of the candidate;

20.1.5. Does not show for which candidate the vote is given; or

20.1.6. Has any mark or writing made by the elector by which he/she may be identified.

21. Marks Allowed on the Ballot

21.1. A ballot paper is not invalid merely because the elector without any apparent intention of identification has marked his/her vote out of or partly out of its proper space if the mark clearly indicates the candidate for whom he/she evidently intended to vote or has marked the ballot paper with a form of a cross other than an "X" or the figure "1" or "V" or a check mark or any other mark clearly indicating an intent to vote for the candidate opposite whose name the mark is placed.

21.2. A ballot paper shall not be rejected merely because the elector without apparent intention of identification has marked his/her vote with a writing instrument other than the pencil provided for the purpose.

22. Disposition of Ballots

22.1. The Chief Electoral Officer shall retain all ballot papers received by him/her for one month following the Official count and then:

22.1.1. Unless he/she has received notice of an appeal as provided for herein; or

22.1.2. Unless he/she is otherwise directed by order of the Metis Elections Commission, or an order of a Court having jurisidiction served on him/her within thirty

(30) days of the day on which the election was held, he/she shall then cause the ballots to be destroyed in the presence of two witnesses.

22.1.3. The Chief Electoral Officer and the witnesses shall jointly make a statutory declaration that they have witnessed the destruction of the paper and the declaration shall be retained by the Chief Electoral Officer.

22.1.4. A copy of the declaration shall be included in the in the final report tabled at the Metis Nation Legislative Assembly by the Metis Elections Commission.

VOTING

23. Voting Compartments and Materials

23.1. Election officers shall ensure that a proper compartment, in which the elector can mark his/her ballot screened from observation, is provided at each polling station.

24. Secrecy of Voting

24.1. While an elector is in the balloting compartment, no other person shall be allowed to enter the compartment or to be in any position from which he/she can observe the elector marking the ballot paper, unless the person marking his/her ballot paper requires assistance and is granted that assistance as provided herein.

24.2. Every election officer and scrutineer in attendance at a polling station, or at the counting of ballots or at both, shall maintain and aid in maintaining the secrecy of the voting.

25. Voting by Ballot

25.1. Where a poll is established by the Chief Electoral Officer for an election, the vote shall be given by secret ballot.

26. Persons Entitled to be Present

26.1. During the hours appointed for voting, no person is entitled or shall be permitted to be present in any polling place other than the election officers and scrutineers appointed pursuant to these regulations, the interpreter if any appointed, and such electors as are for the time being actually within the premises in which the polling place is situated, for the purpose of voting.

27. Forfeiture of Voting Right

27.1. Where a person leaves the polling place without first delivering his/her ballot paper to the election officer in the manner prescribed or returns it after declining to vote, he/she thereby forfeits his/her right to vote and the election officer shall make an entry in the poll book in the column for remarks to the effect that the person received the ballot paper but took it out of the polling place or returned it declining to vote as the facts may be.

28. Voting by an Incapacitated Person

28.1. Notwithstanding any other provision in these regulations, where an elector makes a declaration that he/she is unable to read or is incapacitated by blindness or other physical cause, when marking his/her ballot paper, the election officer shall proceed as follows:

28.1.1. He/she shall:

28.1.1.1. Cause the vote of that person to be marked on the ballot paper in the manner directed by that person and shall place the ballot paper in the ballot box.

28.1.1.2. If the person is accompanied by a friend, and so requests, the election officer shall permit the friend to accompany the person into the voting compartment and mark the elector's ballot for him/her.

28.1.1.3. State in the poll book opposite the name of that person of the cause of the incapacity

POLL BOOK

29. Poll Book

29.1. The poll book shall contain the names of all electors listed on the Electoral List and the signatures of all electors next to their name on the Electoral List.

29.2. The poll book shall contain a column for remarks by election officers.

29.3. The election officer shall make a note in the poll book of every objection to a ballot paper by a scrutineer and the officer's decision shall be final and binding on the count.

COUNTS

30. At the close of the polls at the end of the Election Day and to prepare for the election count:

30.1. The election officer shall count the number of electors whose names appear in the poll book and the number of electors who appear to have voted and shall make an entry thereon in the poll book on the line immediately below the name of the elector who voted last (in the Remarks column):

30.1.1. The number of names on the List;

30.1.2. The number of electors who cast a vote;

30.1.3. Certify the date of this count;

30.1.4. The names and signatures of all election officers; and

30.1.5. The names and signatures of all scrutineers, if they wish to sign.

30.2. The election officer shall then open the ballot box and count the number of ballot papers therein and record the result, in the presence of the other election officers and the scrutineers in attendance.

30.3. The election officer shall then count the number of votes given for each candidate on the ballot papers by the placing thereon opposite the name of the candidate the symbol "X" or any other such symbol as allowed and shall credit each candidate with one vote in respect to each vote given for him/her on an un-rejected and un-objected to ballot and on each ballot objected to but counted.

30.4. The election officer shall make out a statement in duplicate showing the number of votes given for each candidate and such other particulars as are required and the statement shall forthwith be signed by him/her and the other election officers and such other scrutineers as may be present and desire to sign.

30.5. One copy of the statement shall be attached to the poll book and the second shall be retained by the electoral officer to be forwarded to the Chief Electoral Officer.

31. Unofficial Counts

31.1. After making the statement mentioned above, the election officer shall in the presence of the persons authorized to attend make up into separate packets:

31.1.1. The statement of the poll;

31.1.2. The used ballot papers that have been objected to and have not been counted.

31.1.3. The ballot papers that have been objected to but have been counted.

31.1.4. The rejected ballot papers not objected to.

31.1.5. The rejected ballot papers objected to.

31.1.6. The spoiled and declined ballot papers.

31.1.7. The discarded ballot papers.

31.1.8. The unused ballot papers.

31.1.9. The poll book with the declaration of the election officer therein.

31.1.10. The electoral list used at the poll.

31.1.11. The statement of the number of electors marked by the electoral officer under the heads "physical incapacity" and "unable to read" with the declaration of the inability.

31.1.12. The notes taken of objections made to ballot papers found in the ballot box.

31.1.13. All other documents that were completed, prepared or used at the election.

31.2. The election officer shall seal each of the packets mentioned above with his/her own seal and such scrutineers as desire may affix their seals and signatures.

31.3. The election officer shall mark on the outside of each of the packets a short statement of the contents thereof, the date of the election, his/her name and the return and the name of the election.

32. Official Count

    32.1. The Chief Electoral Officer, within no longer than fourteen (14) days of the Election Day, will proceed with the Official Count.

33. Announcement of Results

    33.1. The Chief Electoral Officer shall publicly declare to be elected the candidate or candidates having the greatest number of votes.

    33.2. Where it appears that two or more candidates have an equal number of votes the Chief Electoral Officer shall at the time he/she declares the result of the poll state that two or more candidates, naming them, to have an equal number of votes.

    33.3. In the event of a tie, and all appeal processes have been exhausted, a by-election will have to be held.

APPEALS

34. Appeals

    34.1. A candidate may appeal a decision of the Chief Electoral Officer by filing a statement of appeal in writing, with the Metis Elections Commission within fourteen (14) days of the announcement of the Official Count. All appeals filed with the Metis Elections Commission shall include a non-refundable bond of one hundred dollars ($100.00).

    34.2. Upon receipt of an appeal, the Metis Elections Commission shall forwith direct the Chief Electoral Officer not to destroy the ballot papers pertaining to the specific election under appeal until further notice.

    34.3. Where it appears that two or more candidates have an equal number of votes, and the Chief Electoral Officer cannot declare a candidate to be elected the Chief Electoral Officer shall immediately conduct a recount of the ballots as hereinafter provided.

    34.4. If is made to appear by the statement of a candidate filed with the Chief Electoral Officer at any time within fourteen (14) days from the date of the election that any ballot papers may have been improperly counted or rejected on application made to him/her for the purpose, the Chief Electoral Officer shall appoint a time and place where he/she will proceed to recount the ballots and he/she shall give notice thereof in writing to the Metis Elections Commission, the election officers and the candidates.

    34.5. Upon completion of the recount or as soon as he/she has ascertained the result of the poll, the Chief Electoral Officer shall seal up all the ballot papers in separate packets and unless a new election is ordered, the Chief Electoral Officer shall forthwith certify the result and then declare to be elected the candidate having the highest number of votes.

34.6. Whereupon completing this recount, the Chief Electoral Officer finds that each of the two or more candidates has received an equal number of votes; and cannot therefore finally determine the result of the election by declaring to be elected the number of persons or the remaining number of persons required to be elected he/she shall require a new election to be held.

34.7. Where any new election is ordered the candidates for election in the run-off election shall be only those candidates who had an equal number of votes following the recount.

Appendix 4.8: Métis Nation-Saskatchewan Citizenship Act

Métis Nation of Saskatchewan
Citizenship Act

Ratified November 6, 1999
Amended November 2001
Amended July 4, 2003

ARTICLE ONE - TITLE

1. This Act may be cited as "The Métis Nation-Saskatchewan Citizenship Act, 1999."

ARTICLE TWO - INTERPRETATION

2. In this Act:

2.1. "Act" shall mean the Métis Nation-Saskatchewan Citizenship Act.

2.2. "Appeals" shall mean any written objection by a person who has been rejected entry in the Métis Nation-Saskatchewan Central Registry or by a Métis Nation-Saskatchewan citizen who is objecting to the registration of any person to the Métis Nation-Saskatchewan Central Registry.

2.3. "Child" shall mean a child of a Métis citizen.

2.4. "Citizenship Appeal Board" shall mean the Métis Nation-Saskatchewan Citizenship Appeal Board.

2.5. "Membership" shall mean citizenship.

2.6. "Métis" shall mean a Métis citizen as defined by the Métis Nation-Saskatchewan Constitution.

2.7. "Métis community" shall mean the Locals as set out by the Constitution.

2.8. "Métis Local" shall mean a Métis Local listed in Schedule I of the Métis Nation-Saskatchewan Constitution.

2.9. "Métis Nation Legislative Assembly" shall mean the governing authority of the Métis Nation-Saskatchewan , as set out in the Constitution.

2.10. "Records" shall mean any records used to support an application for citizenship including historical records, church records, archival records, census records and oral history from Métis Elders.

2.11. "Registered" shall mean registered as a Métis under this Act.

2.12. "Registrar" shall mean the Registrar appointed by the Senate to administer the Central Registry.

2.13. "Genealogical evidence" shall mean evidence which indicates proof that an applicant's parent is, or parents are, of Métis Ancestry. (Amended July 4, 2003)

ARTICLE THREE - COMMUNITY ACCEPTANCE

3. In this Act:

3.1. The Métis Nation-Saskatchewan shall accept a person as Métis if the person can produce records denoting the person as having Métis ancestry and is accepted by a Métis community and if the person complies with the following conditions:

3.1.1. The person normally resides within the community or jurisdiction of the Métis Nation-Saskatchewan ; and

3.1.2. The person expressly held him/herself out to be Métis in the community or jurisdiction;

3.2. The authorized Métis Local must make its decision impartially and in good faith.

ARTICLE FOUR - REGISTRATION PROCESS

4. In this Act:

4.1. A person who wishes to be registered as a Métis may apply to a Métis Nation-Saskatchewan Local.

4.2. The Métis Nation-Saskatchewan Local President or Secretary must issue a card recognizing the person as Métis if they meet the requirements of this Act, but not before they are registered by the Registrar.

4.3. The parent or guardian of a child under 16 years of age may apply for registration on behalf of the child.

4.4. The guardian of a person who is under a mental or legal disability may apply for registration on behalf of the person.

4.5. No person is obliged to apply for registration.

4.6. In the case of an application for registration, the applicant must provide historical and genealogical evidence, such as the records or documents of a government, church or community, including oral testimony from a Métis Elder reduced to writing, to show that the person is a descendant of a Métis.

4.7. The Registrar shall review applications for registration and shall register a person as a Métis only if:

4.7.1. The person is entitled to be registered as a Métis pursuant to this Act and

4.7.2. The application is properly made.

4.8. Following the coming into force of this Act, the Registrar shall establish and implement a process to seek out and encourage the registration of all persons who are entitled to be registered as Métis.

ARTICLE FIVE - VOLUNTARY REMOVAL FROM REGISTRY

5. In this Act:

5.1. A person who is registered as a Métis citizen may, at any time, voluntarily remove him/herself from the registry.

5.2. The Registrar shall remove a person who, by written request, declares that he or she no longer wishes to be registered as a Métis.

5.3. A person who has removed him/herself from the registry may re-apply for registration.

ARTICLE SIX - CENTRAL REGISTRY

6. In this Act:

6.1. The Registrar shall maintain a uniform system for the registration of the citizens of the Métis Nation-Saskatchewan .

6.2. The following minimum information about a Métis citizen may be included in the Central Registry:

6.2.1. The person's name;

6.2.2. The person's address or place of residence;

6.2.3. The person's date of birth;

6.2.4. The person's marital status and the name of any spouse;

6.2.5. The dates of any marriages;

6.2.6. The names and dates of birth of any children of the person;

6.2.7. The Local under which the person has applied for registration;

6.2.8. The Mother's full name and date of birth;

6.2.9. The Father's full name and date of birth;

6.2.10. The other information submitted in support of the person's application for registration; and

6.2.11. Such genealogical information about the person as may exist.

6.3. The Registrar may collect and register additional demographic information about Métis citizens.

6.4. The Registrar shall treat the registry as confidential.

6.5. The Registrar shall cause the registry system to be kept safely by administrative, physical and technological safeguards that are reasonable and consistent with this Act.

6.6. The Registrar with the consent of the Provincial Metis Council may enter into agreements with the government of a province or territory or with the government of Canada respecting the collection and exchange of information for the better functioning of the registry system but may not disclose confidential information without the consent of the registrant.

6.7. The process for registration shall be such that:

6.7.1. A person makes application to a Métis Local for citizenship by completing the Métis Nation-Saskatchewan Citizenship Application Form.

6.7.2. The President of the Métis Local submits the Citizenship Application Form to the Registrar for consideration and entry into the Registry.

6.7.3. The Registrar rejects or registers the person into the Registry and notifies the Métis Local President in writing of the decision.

6.7.4. In the event that the Registrar accepts the registration, the Registrar forwards a signed standardized Métis Nation-Saskatchewan Citizenship Card to the Métis Local President or Secretary who then issues the standardized Métis Nation-Saskatchewan Citizenship Card to the person.

6.7.5. The standardized Métis Nation-Saskatchewan Citizenship Cards shall be numbered consecutively following the Métis Local numbers.

6.7.6. Only the standardized Métis Nation-Saskatchewan Citizenship Cards shall be recognized as legitimate for the purposes of the Constitution and this Act.

6.7.7. The Provincial Métis Council will be responsible for the development of the Métis Nation-Saskatchewan Citizenship Application Form and the standardized Citizenship Card.

ARTICLE SEVEN - REGISTRY OFFICE

7. A Registry Office shall be established, based on available fiscal resources.

7.1. The Registry Office shall consist of:

7.1.1. The Registrar and

7.1.2. The staff of the Registry Office.

7.2. The Registry Office

7.2.1. is separate and independent from the public service of the Métis Nation but the staff of the Registry Office shall be considered to be members of the public service for the purpose of employment benefits;

7.2.2. Shall act impartially and in good faith in the exercise of its functions; and

7.2.3. Is under the administrative direction of the Senate; and

7.2.4. Shall retain and provide copies of the standardized Métis Nation-Saskatchewan Citizenship Application Form and the standardized Métis Nation-Saskatchewan Citizenship Cards to Métis Local Presidents.

ARTICLE EIGHT - THE REGISTRAR

8. The Registrar:

8.1.1. Shall be appointed and directed by the Senate.

8.1.2. Shall hold office for a term set by the Senate.

8.1.3. May be removed from office only by the Senate.

8.1.4. Shall report in writing to the Métis Nation Legislative Assembly and the Provincial Métis Council through the Senate.

8.1.5. Shall maintain the Central Registry.

8.1.6. Shall administer this Act.

8.1.7. Shall accept and review applications for citizenship submitted on the standardized Citizenship Application Form by a Métis Local President and decide whether a person is entitled to be registered pursuant to this Act.

8.1.8. Shall respond in writing to the Métis Local President on the decision of an application for citizenship.

8.1.9. Shall make decisions on the voluntary removal from the registry of individuals pursuant to this Act.

8.1.10. Shall forward Appeals to the Citizenship Appeal Board on the issue, pursuant to this Act.

8.1.11. Shall ensure that the relevant files are provided to the Citizenship Appeal Board in cases of appeal.

8.1.12. Shall ensure that a final report is written and filed on any appeal that comes before the Registrar or the Citizenship Appeal Board.

8.1.13. Shall manage the staff of the Registry Office.

8.1.14. Shall have a seal of office that may be reproduced by the Registrar in any manner and has the same effect whether it is manually applied or otherwise reproduced.

8.1.15. Shall deliver an annual report to the Provincial Métis Council, to be submitted to the Métis Nation Legislative Assembly, through the Senate, within 60 days following the end of each calendar year.

ARTICLE NINE - CITIZENSHIP APPEAL BOARD

9. The Citizenship Appeal Board shall:

9.1. Hear and resolve appeals from a decision of the Registrar.

9.2. Be composed of three Senators, appointed by the Métis Nation Legislative Assembly, for a term of three years but may be removed for cause by the Métis Nation Legislative Assembly. A Senator who is a member of the Citizenship Appeal Board and whose term has expired may be re-appointed.

9.3. Appoint one member of the Citizenship Appeal Board to be the Chairperson of the Citizenship Appeal Board.

9.4. Have an official seal, which shall be judicially noticed.

9.5. Shall have, in regards to attendance, swearing in and examination of witnesses, the production and inspection of documents, the enforcement of its orders and other matters necessary or proper for the due exercise of its jurisdiction, all such powers, rights and privileges as are vested in a superior court of record.

9.6. Shall be responsible for all citizenship appeals, the decision of which is subject only to appeal to the Métis Nation Legislative Assembly.

9.7. Shall conduct appeal hearings in accordance with such rules of procedures as are necessary and as are ratified by the Provincial Métis Council.

9.8. May appoint a person to inquire into and report on any matter before making a decision on it.

9.9. May sit and make a determination with a majority of members in attendance.

9.10. May make such orders and regulations as are necessary for the purpose of carrying out this Act, subject to ratification by the Provincial Métis Council.

9.11. Make recommendations to the Métis Nation Legislative Assembly in the event of final appeal by a person regarding registry.

ARTICLE TEN - CITIZENSHIP APPEALS

10. The process for Appeals will be such that:

10.1. The Appellant bears the burden of proof.

10.2. Any person who has made application on the Métis Nation-Saskatchewan Citizenship Application Form to a Métis Local President and is denied registry by the Métis Local President is entitled to appeal this decision in writing to the Registrar within thirty (30) days of the President's decision.

10.3. Any person whose Citizenship Application Form has been forwarded by a Métis Local President to the Registrar and has been rejected in writing by the Registrar may appeal in writing to the Citizenship Appeal Board within thirty (30) days of the Registrar's decision.

10.4. Any person whose application has been rejected by the Citizenship Appeal Board may appeal in writing to the Métis Nation Legislative Assembly, whose decision shall be final and binding, complying with the requirements set out in the Métis Nation-Saskatchewan Legislative Assembly Act, and shall do so within thirty (30) days of the Citizenship Appeal Board's decision.

10.5. All appeals by a person regarding rejection of registration by the Local President or Registrar or Citizenship Appeals Board must include:

10.5.1. The name and address of the person who has been rejected;

10.5.2. The Local to which application was made;

10.5.3. The evidence submitted as proof of Métis ancestry;

10.5.4. Copies of all correspondence regarding the appeal;

10.5.5. The signature of the person who has been rejected; and

10.5.6. The date of submission of the appeal.

10.6. Any person whose registration is being objected to shall be given a reasonable opportunity to make representation in the case at each level, and shall receive copies of all correspondence regarding the appeal.

10.7. The decision of the Citizenship Appeal Board must be in writing, signed by the deciding members of the Citizenship Appeal Board, and forwarded to the affected parties within 14 days of the date of its decision.

10.8. The Registrar shall take whatever steps are necessary to implement the decision of the Citizenship Appeal Board.

10.9. All appeals are confidential and shall be treated as such by all involved parties.

ARTICLE ELEVEN - CHALLENGES TO PERSONS CURRENTLY REGISTERED

11. Challenges to persons registered as Métis may be made by Métis citizens registered in the Central Registry:

11.1. Challenges of Métis ancestry to persons currently on MNS citizenship/membership lists may be made by Métis citizens/members in writing to the Registrar. The challenge must include the full name of the person being challenged, the Local which that person is registered with, and the grounds for the challenge. The person so challenged will be notified by the Registrar in writing and shall have the right to refute that challenge by providing evidence that he/she is in fact Métis the burden of proof being the same as required for all persons applying for inclusion as Métis under this Act.

11.2. The written decision of the Registrar shall be forwarded by registered mail to both parties, and shall inform them of their right to appeal within thirty (30) days to the Citizenship Appeal Board.

11.3. The Citizenship Appeal Board shall provide at least two (2) weeks notice to both parties of the appeal hearing date and then render its decision in writing by registered mail to both parties to the appeal and inform them of their right to appeal to the Métis Nation Legislative Assembly.

11.4. The decision of the Citizenship Appeal Board may be appealed by either party in writing to the Métis Nation Legislative Assembly, whose decision shall be final and binding. Such appeal must be registered in conformity with the Métis Nation Legislative Assembly Act within thirty (30) days after receipt of the Citizenship Appeal Board's written decision. (Amended July 4, 2003)

ARTICLE TWELVE - FINANCES

12. The remuneration and employment benefits of the Registrar, the staff of the Registry Office and the Citizenship Appeals Board shall be established by the Métis Nation-Saskatchewan Treasury Board, based on available fiscal resources.

ARTICLE THIRTEEN - GRANDFATHER CLAUSE

13. In Grandfathering existing memberships.

13.3. Those members currently listed on the Métis Nation updated Local Membership Lists shall be automatically entered into the Central Registry and receive the new standardized Métis Nation-Saskatchewan Citizenship Card. All Métis not currently listed on the Métis Local Membership Lists shall have to apply for registration as a Citizen of the Métis Nation – Saskatchewan on the standardized Métis Nation – Saskatchewan Citizenship Application Form. (Amended July 4, 2003)

ARTICLE FOURTEEN - ENACTMENT

14. This Act:

14.3. Comes into force upon ratification by the Métis Nation Legislative Assembly.

14.4. Is binding on all citizens of the Métis Nation-Saskatchewan and its Affiliates and organizations.

14.5. Repeals all former citizenship legislation.

14.6. Has received ratification on this 6th day of November, 1999.